

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

1934

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Washington, Thursday, May 22, 1952

TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10353

AUTHORIZING THE APPOINTMENT OF MRS. CRESSIE E. COFFELT TO A COMPETITIVE POSITION WITHOUT REGARD TO THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act of January 16, 1883 (22 Stat. 403, 404), it is hereby ordered that Mrs. Cressie E. Coffelt may be appointed to a competitive position in the Department of the Interior without compliance with the competitive provisions of the Civil Service Act and Rules.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 21, 1952.

[F. R. Doc. 52-5781; Filed, May 21, 1952;
12:00 m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State
[Dept. Reg. 108.152]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS MAY 13, 1952.

Section 325.11, *Designation of differential posts*, is amended as follows, effective on the date indicated:

1. Effective as of the beginning of the first pay period following May 24, 1952, paragraph (b) is amended by the deletion of the following posts:

Babol, Iran.
Hamadan, Iran.
Isfahan, Iran.
Tehran, Iran.

2. Effective as of the beginning of the first pay period following May 24, 1952, paragraph (b) is amended by the addition of the following posts:

Iran, all posts except Meshed, Shiraz, and Tabriz.

(Sec. 102, Part I, E. O. 10000, Sept. 16, 1948,
13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

W. K. SCOTT,
Deputy Assistant Secretary.

[F. R. Doc. 52-5653; Filed, May 21, 1952;
8:52 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Market- ing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other
Operations

[1952 CCC Cottonseed Bulletin 1]

PART 643—OILSEEDS

SUBPART—1952 COTTONSEED LOAN AND PURCHASE AGREEMENT PROGRAM

This bulletin states the requirements with respect to loans and purchase agreements under the 1952-Cottonseed Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). The requirements with respect to purchases of cottonseed, other than under purchase agreements, are contained in the 1952 C. C. C. Cottonseed Bulletin 2. The program will be carried out by PMA under the general supervision and direction of the President, CCC.

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FEDERAL REGISTER

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CFR SUPPLEMENTS

(For use during 1952)

The following Supplements are now available:

- Title 6 (\$1.50)
- Title 7: Parts 210-899 (\$2.25)
- Title 14: Part 400 to end (\$1.00)
- Title 16 (\$0.55)
- Titles 28-29 (\$0.75)
- Titles 30-31 (\$0.45)
- Title 38 (\$1.50)
- Title 46: Parts 1 to 145 (\$0.60)

Previously announced: Title 3 (full text) (\$3.50); Titles 4-5 (\$0.45); Title 7: Parts 1-209 (\$1.75); Part 900 to end (\$2.75); Title 8 (\$0.50); Title 9 (\$0.35); Titles 10-13 (\$0.35); Title 15 (\$0.60); Title 17 (\$0.30); Title 18 (\$0.35); Title 19 (\$0.35); Title 20 (\$0.45); Title 21 (\$0.70); Titles 22-23 (\$0.40); Title 24 (\$0.60); Title 25 (\$0.30); Title 26: Parts 1-79 (\$1.00); Parts 80-169 (\$0.30); Parts 170-182 (\$0.55); Parts 183-299 (\$1.75); Part 300 to end, Title 27 (\$0.45); Title 33 (\$0.60); Title 46: Part 146 to end (\$0.85)

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AUTHORITY: §§ 643.685 to 643.709 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, 1072, secs. 301, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1447, 1421.

§ 643.685 *Administration.* (a) In the field, the program will be administered through PMA State and county committees (hereinafter referred to as State and county committees) and PMA commodity offices. Forms will be distributed through the offices of State and county committees. County committees will determine or cause to be determined the quality and grade of the cottonseed, the amount of the loan, or purchase price, and the value of the cottonseed delivered under a loan or purchase agreement. All loan and purchase agreement documents will be completed and approved by the county committee, which will retain copies of all such documents. The county committee may designate in writing certain employees of the county PMA office to execute on behalf of the committee any documents in connection with this program. State and county committees and PMA commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments thereto.

§ 643.686 *Availability of loans and purchase agreements.*—(a) *Area.* Loans shall be available on eligible cottonseed stored in approved warehouses or in approved farm storage in all cotton producing areas, except that farm-storage loans will not be made in any area where the appropriate State PMA committee determines that the damage hazard to farm-storage cottonseed would not warrant the making of farm-storage loans. Purchase agreements will be available on eligible cottonseed in all areas.

(b) *Time.* Loans and purchase agreements shall be available through January 31, 1953. Purchase agreements, notes and chattel mortgages, and note and loan agreements must be signed by the producer and delivered to the county committee on or before such date.

(c) *Source.* Loans and purchase agreements will be made available through the offices of county committees. Disbursements on loans will be made to producers through approved lending agencies under agreements with CCC, or by means of sight drafts drawn on CCC by county committees in accordance with instructions issued by PMA to the State and county committees. Disbursements on loans will be made not later than February 15, 1953, except where specifically approved by the appropriate PMA commodity office in each instance. The producer shall not present the loan documents for disbursement unless the cottonseed are in existence and in good condition. If the cottonseed are not in existence and in good condition at the time of disbursement, the proceeds shall be promptly refunded by the producer.

§ 643.687 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which CCC has entered into a lending agency agreement (Form CCC-292).

§ 643.688 *Eligible producer.* (a) An eligible producer shall be any individual, partnership, corporation, association,

trust, estate, or other legal entity, or a State or political subdivision thereof or an agency of such State or political subdivision, producing cottonseed in 1952 in the capacity of landowner, landlord, tenant, or sharecropper.

(b) Eligible producers who are members of cooperative marketing associations may act collectively through their associations in obtaining loans in accordance with the provisions of § 643.707.

§ 643.689 *Eligible cottonseed.* Eligible cottonseed shall be cottonseed that meet the following requirements:

(a) The cottonseed must have been produced in the continental United States in 1952 by an eligible producer.

(b) Such cottonseed must have been produced by the person tendering them for a loan or for purchase, or by the person who delivered the cottonseed to the cooperative association or ginner tendering the cottonseed for a loan or for purchase, and the beneficial interest in the cottonseed must be in such person and must always have been in him or in him and a former producer whom he succeeded before the cottonseed were harvested. Cottonseed tendered by a cooperative association for a loan or for purchase must have been produced and delivered to the association by its producer-members. Any person tendering cottonseed for a loan or for purchase must have the legal right to pledge or mortgage the cottonseed as security for the loan or to sell the cottonseed.

(c) Cottonseed must be sound and clean and, in the case of cottonseed in farm storage or stored in an approved warehouse on an identity-preserved basis, must not contain more than 11 percent moisture. The moisture limitation of 11 percent shall not apply to cottonseed delivered under purchase agreement or to commingled cottonseed under loan and covered by warehouse receipts under which an approved warehouseman guarantees the official grade and weight.

(d) No warehouse receipts shall be outstanding on cottonseed in farm storage.

§ 643.690 *Approved storage—(a) Warehouse storage.* Cottonseed stored in warehouses will be accepted as security for loans hereunder only if such warehouses are approved by CCC. Warehousemen desiring approval of their facilities for the storage of cottonseed should communicate with the PMA commodity office shown in § 643.709 serving the area in which the warehouse is located or the county committee for the county in which the warehouse is located.

(b) *Farm storage.* Approved farm storage shall consist of storage structures located on or off the farm which, as determined by the county committee, are of such construction as to afford safe storage of cottonseed and afford protection against weather damage, poultry, livestock and rodents, and reasonable protection against fire and theft.

§ 643.691 *Approved forms.* The documents named in paragraphs (a) and (b) of this section, together with the provisions of this subpart and any sup-

plements or amendments thereto, govern the rights and responsibilities of the producers under this program. Loan and purchase agreement documents executed by an administrator, executor or trustee will be acceptable only where valid in law and must be accompanied by documentary evidence of the authority of the person executing such documents. Documents must have State and documentary revenue stamps affixed when required by law.

(a) *Loan documents.* The following documents must be delivered by the producer in support of every loan:

(1) *Warehouse-storage loans.* Producer's Note and Loan Agreement (Commodity Loan Form B) duly executed and delivered within the period prescribed in § 643.686, secured by warehouse receipts complying with the provisions of § 643.708.

(2) *Farm-storage loans.* Producer's Note (Commodity Loan Form A) and Commodity Chattel Mortgage (Commodity Loan Form AA) covering the cottonseed tendered as security for the loan, both executed and delivered within the period prescribed in § 643.686, and such other forms as may be prescribed by CCC.

(b) *Purchase agreement documents.* The purchase agreement documents shall consist of the Purchase Agreement (Commodity Purchase Form 1) and Purchase Agreement Settlement (Commodity Purchase Form 4) signed by the producer and approved by the county committee, negotiable warehouse receipts, and such other forms as may be prescribed by CCC.

§ 643.692 *Determination of quantity—*

(a) *Warehouse-storage loans.* Warehouse receipts shall be based upon net weights, after deduction for any foreign matter in excess of 1 percent of the gross weight and for estimated shrinkage. The total deduction for shrinkage shall not exceed 3 percent of the gross weight of the cottonseed.

(b) *Farm-storage loans.* The quantity of cottonseed at the time a farm-storage loan is made shall be determined by actual weight or by an estimate of tonnage based upon measurements. When the weight of cottonseed to be placed under loan is estimated by measurement, 90 cubic feet of cottonseed shall be considered the equivalent of one ton. The quantity delivered in liquidation of the loan shall be the net weight, which shall be the gross weight of the cottonseed less a deduction for any foreign matter in excess of 1 percent of the gross weight.

(c) *Purchase agreements.* The quantity of cottonseed delivered under a purchase agreement shall be the net weight, which shall be the gross weight of the cottonseed less a deduction for any foreign matter in excess of 1 percent of the gross weight; or, when warehouse receipts guaranteeing grade and weight are submitted, the quantity delivered shall be the net weight shown in such warehouse receipts.

§ 643.693 *Liens.* The cottonseed must be free and clear of all liens and encumbrances, including any claim the ginner may have against the cottonseed for his

regular ginning charge. If liens, ginner's claims, or encumbrances exist on the cottonseed, proper waivers must be obtained.

§ 643.694 *Service charges—(a) Warehouse-storage loans.* The producer shall pay a service charge of 20 cents per ton of cottonseed pledged to secure a loan, or \$1.50, whichever is greater.

(b) *Farm-storage loans.* The producer shall pay a service charge of 35 cents per ton on the number of tons placed under a farm-storage loan, or \$3.00, whichever is greater. In the case of farm-storage loans, State committees are authorized to require prepayment of \$3.00 of the service charges.

(c) *Purchase agreements.* At the time the producer signs a purchase agreement, he shall pay a service charge of 20 cents per ton on the quantity of cottonseed specified on Commodity Purchase Form 1 as the maximum quantity that may be delivered or \$1.50, whichever is greater.

(d) No refund of any service charges will be made.

§ 643.695 *Set-offs.* (a) If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, the producer must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lienholders. However, prepayment of only one principal installment on a farm-storage facility loan shall be deducted from the price support proceeds of any one crop year.

(b) If the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above.

(c) Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders.

(d) Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 643.696 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum, and interest shall accrue from the date of disbursement of the loan notwithstanding the printed provisions of the note.

§ 643.697 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the cottonseed under loan or his remaining interest may be restricted by CCC. The producer may not assign his interest in the purchase agreement.

§ 643.698 *Safeguarding of the cottonseed.* The producer who places cottonseed under a farm-storage loan is obligated to maintain the farm-storage structure in good repair, and to keep the cottonseed in good condition.

§ 643.699 Insurance. (a) CCC will not require the producer to insure the cottonseed placed under a farm-storage loan; however, if the producer does insure such cottonseed and an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest after first satisfying the producer's equity in the cottonseed involved in the loss.

(b) All commingled cottonseed covered by warehouse receipts shall be insured by the warehouseman, for the benefit of the holders of the receipts, against loss or damage by fire, lightning, inherent explosion, windstorm, cyclone, and tornado, for the full market value of the cottonseed. The warehouseman shall not be required to carry insurance covering identity-preserved cottonseed; however, any indemnity paid under such insurance carried by the warehouseman or the producer shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the cottonseed involved in the loss.

§ 643.700 Loss or damage to the cottonseed. The producers shall be responsible for the quality and for any loss in quantity of the cottonseed placed under farm-storage or identity-preserved warehouse-storage loan, except that, subject to the provisions of § 643.699, any physical loss or damage, other than shrinkage or natural deterioration, occurring after disbursement of the loan funds to the producer, without fault, negligence, or conversion on the part of the producer or any other person having control of the storage structure, and resulting solely from an external cause other than insect infestation or vermin, will be assumed by CCC to the extent of the loan plus interest provided the producer or other person having control of the storage structure has given the county committee immediate written notice of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. The date of the draft or check shall constitute the date of disbursement of the funds.

§ 643.701 Personal liability. The making of any fraudulent representations by the producer in the loan or purchase agreement documents, or in obtaining the loan or purchase proceeds, or the conversion or unlawful disposition by him of any portion of the cottonseed under loan, shall render the producer subject to criminal prosecution under Federal law and render him personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note, or for any damages resulting from the purchase of the cottonseed.

§ 643.702 Maturity and liquidation of loans. Notwithstanding any provisions in the mortgage supplement or in the note and loan agreement, settlement of loans, and delivery of the cottonseed covered by chattel mortgage and pledged under note and loan agreements shall be

made in accordance with this section. All loans mature on demand but not later than March 1, 1953. If the producer does not repay his loan on or before maturity, the following procedure will be observed:

(a) **Farm-storage loans.** (1) The producer shall deliver the mortgaged cottonseed in accordance with instructions of the county committee. The producer may, however, pay off his loan and redeem his cottonseed at any time prior to the delivery of the cottonseed to CCC or removal of the cottonseed by CCC. In the event the farm is sold or there is a change of tenancy, the cottonseed may be delivered before the maturity date of the loan, upon prior approval by the county committee, or may be delivered before the maturity date of the loan for other reasons upon prior approval of the President of CCC. After a complete grade determination by a cottonseed chemist licensed by the U. S. Department of Agriculture, credit will be given at the applicable settlement rate, according to grade and/or quality (see § 643.706), for the total quantity delivered, provided it is the identical cottonseed on which the loan was made. In the case of "off quality" and "below grade" cottonseed, as defined in the United States Official Standards for Grades of Cottonseed, CCC will sell such cottonseed, pursuant to the provisions of the chattel mortgage (Commodity Loan Form AA), at the current market price and the settlement value shall be the market price determined on the basis of such sale.

(2) If the producer, upon prior approval of the county committee, transports the cottonseed a greater distance than the distance from the point of storage to the normal delivery point, the producer may, at time of settlement, be credited for transporting the cottonseed the additional distance at a rate per mile not in excess of the commercial transportation rate for the area.

(3) If the settlement value of the cottonseed delivered under a farm-storage loan exceeds the amount due on the loan by more than \$3.00, such amount will be paid to the producer on the basis of the settlement documents. To avoid administrative costs of making small payments, if the amount found due the producer in such settlement is \$3.00 or less, such amount will be paid only upon his request. Payments will be made by sight draft drawn on CCC by the PMA county committee.

(4) If the settlement value of the cottonseed is less than the amount due on the loan (excluding interest), the amount of the deficiency, plus interest, shall be paid to CCC or the amount may be set off against any payment which would otherwise be due to the producer under any agricultural programs administered by the Secretary of Agriculture or any other payments which are due or may become due to the producer from CCC or any other agency of the United States, provided that, to avoid administrative costs of handling small accounts, a deficiency of \$3.00 or less, including interest, may be disregarded unless demand therefor is made by CCC upon the producer.

(5) If the loan is not liquidated upon maturity by payment or delivery, the

holder of the note may remove the cottonseed and sell them in accordance with the provisions of the chattel mortgage (Commodity Loan Form AA).

(b) **Warehouse-storage loans.** (1) The procedure with respect to cottonseed stored on an identity-preserved basis shall be the same as that for farm-stored cottonseed except that the warehouse shall be considered the delivery point. The producer shall not be responsible for the quantity or quality of cottonseed stored by a warehouseman on a commingled basis and covered by receipts under which the warehouseman agrees to deliver the quantity and grade shown in the receipts. If the producer does not repay his warehouse-storage loan on or before maturity, CCC shall have the right to sell the cottonseed in liquidation of the loan in accordance with the provisions of the note and loan agreement (Commodity Loan Form B).

(2) Any payment due a producer on a loan secured by warehouse receipts covering commingled cottonseed because of any overplus realized by CCC through its selling or pooling operations (as set forth in the provisions of the note and loan agreement) will be made by the appropriate PMA Commodity Office.

§ 643.703 Delivery and settlement under purchase agreements. (a) The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to deliver any cottonseed to CCC; however, the quantity which he states in the purchase agreement will be the maximum quantity he may deliver to CCC. If the producer who signs the purchase agreement wishes to sell cottonseed to CCC, he will have a 30-day period during which he must notify the county committee of his intention to sell. This period will end on March 1, 1953, or on such earlier date as may be determined by the President, CCC.

(b) In the case of eligible cottonseed stored in an approved warehouse, the producer must, not later than the day following the final date of such 30-day period or during such period of time thereafter as may be specified by CCC, submit to the county committee warehouse receipts for any quantity of cottonseed that he elects to sell to CCC which is not in excess of the quantity shown on Commodity Purchase Form 1. If the warehouseman guarantees grade and quantity under such warehouse receipts, settlement will be made upon the basis of the grade and quantity shown in the receipts. If the warehouse receipts indicate that the cottonseed are identity-preserved, settlement will be made on the basis of weight, and the official grade as determined by chemical analysis, at the time of delivery to CCC.

(c) In the case of eligible cottonseed stored in other than approved warehouse storage, the county committee will on or after March 2, 1953, issue delivery instructions to the producer. The producer must then complete delivery at points designated by the county committee within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines more time is needed for delivery. The quantity of

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cottonseed delivered must not be in excess of the quantity shown on Commodity Purchase Form 1. The cottonseed will be purchased on the basis of weight, and the official grade as determined by chemical analysis, at the time of delivery.

(d) When delivery is completed, payment will be made by sight draft drawn on CCC by the PMA county committee on the basis of Commodity Purchase Form 4. The producer shall direct on such form to whom payment of the proceeds shall be made. "Below grade" and "off quality" cottonseed as defined in the United States Official Standards for Grades of Cottonseed will not be purchased under the purchase agreement program.

§ 643.704 *Release of the cottonseed under loan.* A producer may at any time obtain the release of cottonseed remaining under loan by paying to the holder of the note the principal amount thereof, plus accrued interest and any charges that may be due. Upon payment of a farm-storage loan, the county committee should be requested to release the mortgage by filing an instrument of release or by executing a marginal release on the county records. Partial release of the cottonseed prior to maturity of the loan may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the cottonseed to be released: *Provided, however,* No partial release of farm-stored cottonseed shall include less than the total quantity of cottonseed stored in any single commingled mass unless the appropriate county committee determines that releases of portions of such masses should be made, and no partial release of warehouse-stored cottonseed shall include less than the total quantity of cottonseed covered by any warehouse receipt involved in the release.

§ 643.705 *Purchase of notes.* CCC will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by CCC will be the principal sum remaining due on such notes, plus an amount computed according to the lending agency agreement to cover interest. Lending agencies are required to submit Commodity Credit Corporation Form 500 or such other form as CCC may prescribe for all payments received on producers' notes held by them and are required to remit interest to CCC computed according to the lending agency agreement.

§ 643.706 *Loan and settlement rates.*—(a) *Loan rates.* Loans on farm-stored cottonseed, and on cottonseed stored in warehouses on an identity-preserved basis and represented by warehouse receipts in which the grade is not guaranteed, shall be made at the rate of \$66.40 per ton of eligible cottonseed as defined in § 643.639. Loans on cottonseed represented by warehouse receipts in which the grade is guaranteed by the warehouseman shall be made at the settlement rates indicated in paragraph (b) of this section.

(b) *Basic settlement rate.* The basic settlement rate for "basis grade" (100) cottonseed in farm storage, stored in a warehouse, or delivered under a purchase agreement shall be \$66.40 per net ton, f. o. b. railroad cars or trucks at delivery points or delivered in an approved warehouse. The settlement rate for cottonseed grading above or below "basis grade" (100) shall be \$66.40 per ton plus or minus a percentage of such price equal to the percentage by which the grade of such cottonseed is above or below 100.

(c) *Warehouse charges.* In the case of cottonseed under a warehouse-storage loan which are not redeemed by the producer, or cottonseed delivered to CCC in an approved warehouse under a purchase agreement, CCC will not assume any warehouse charges accruing prior to March 1, 1953, except as provided in the Cottonseed Storage Agreement (CCC Form 506).

§ 643.707 *Cooperative marketing associations.* (a) Cooperative marketing associations shall be eligible for loans and purchase agreements: *Provided,* That (1) the cottonseed placed under loan and purchase agreements are delivered to the association by eligible producers who are members of the association; (2) the association has been granted by such producer-members the legal right to sell the cottonseed or to pledge or mortgage them as security for a loan, either when stored on an identity-preserved basis or when commingled with other cottonseed; (3) the association keeps any cottonseed covered by a chattel mortgage segregated from all cottonseed not covered by the mortgage; and (4) the association undertakes to pay to CCC any amounts due it under the provisions of this program at the time of settlement.

(b) Cooperative associations desiring loans or wishing to execute purchase agreements may obtain documents from the county committee for the county in which the association is located. The loan and settlement rates to cooperative associations will be the same as those to individual producers, and loans and purchase agreements with respect to such associations will otherwise be on substantially the same basis as loans and purchase agreements with respect to individual producers.

§ 643.708 *Warehouse receipts.* Cottonseed stored in an approved warehouse must be represented by negotiable warehouse receipts, properly endorsed if not in bearer form, meeting the requirements of CCC. Receipts covering identity-preserved cottonseed shall show the condition, weight, and moisture content of the cottonseed. Receipts covering commingled cottonseed shall show the net weight of the cottonseed and the grade of such cottonseed expressed in accordance with the U. S. Official Standards for Grades of Cottonseed. The warehouseman shall be responsible for the delivery of the grade and quantity shown in receipts covering commingled cottonseed. Each receipt shall indicate by endorsement or otherwise that all warehouse charges through February 28, 1953, have been paid. Each receipt cov-

ering commingled cottonseed shall show that the warehouseman has provided insurance for the benefit of the holder of the receipt to the extent set out in § 643.699.

§ 643.709 *PMA commodity offices.* The PMA commodity offices and the cotton growing area served by each are shown below:

Wirth Building, 120 Marais Street, New Orleans 16, La.: Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Virginia.
1114 Commerce Street, Dallas 2, Tex.: Kansas, New Mexico, Oklahoma, Texas.
333 Fell Street, San Francisco 2, Calif.: Arizona, California, Nevada.

Issued this 16th day of May 1952.

[SEAL] ELMER F. KRAUSE,
Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[P. R. Doc. 52-5678; Filed, May 21, 1952;
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[1952 CCC Cottonseed Bulletin 2]

PART 643—OILSEEDS

SUBPART—1952 COTTONSEED PURCHASE PROGRAM

Sec.
643.716 General statement.
643.717 Administration.
643.718 Availability of purchases.
643.719 Eligible producer.
643.720 Eligible cottonseed.
643.721 Purchase price.
643.722 Approved forms.
643.723 Determination of quantity.
643.724 Liens.
643.725 Set-offs.
643.726 Grade reporting areas.
643.727 PMA commodity offices.

AUTHORITY: §§ 643.716 to 643.727 Issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup. 714b, 714c, 7 U. S. C. Sup., 1447, 1421.

§ 643.716 *General statement.* The purchase program provided for in this subpart is a part of the 1952 Cottonseed Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). This subpart states the terms and conditions (a) under which cotton ginners may purchase 1952-crop cottonseed from producers, in order to sell such cottonseed to oil millers (hereinafter referred to as participating oil millers) participating under the provisions of 1952 CCC Cottonseed Bulletin 3, or to sell such cottonseed to CCC in accordance with this subpart in cases where nonparticipation by oil millers makes purchases by CCC from ginners necessary, and (b) under which CCC will purchase 1952-crop cottonseed directly from producers in cases where nonparticipation by ginners under this subpart makes such purchases necessary. The program will be carried out by PMA under the general supervision and direc-

tion of the President, CCC. The requirements with respect to loans and purchase agreements are contained in the 1952 CCC Cottonseed Bulletin 1.

§ 643.717 *Administration.* (a) Operations under the program with respect to the purchase, transportation, handling, and storage of cottonseed prior to delivery of the cottonseed to a participating oil miller or storage facility approved by the appropriate PMA commodity office (hereinafter referred to as approved storage facility) will be administered through PMA State and county committees (hereinafter referred to as State and county committees). All contracts in connection with such operations may be executed on behalf of CCC only by authorized CCC contracting officers.

(b) Contracts relating to the storage and handling of cottonseed subsequent to delivery of the cottonseed to a participating oil miller or an approved storage facility, for the sale, crushing and processing of cottonseed, and for the transportation, storage, handling and sale of the products derived therefrom, will be executed by CCC contracting officers in the appropriate PMA commodity offices.

(c) State and county committees and PMA commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments thereto.

§ 643.718 *Availability of purchases—*

(a) *Area.* The purchase program will be available in all cotton-producing States.

(b) *Time.* Purchases will be made from the date of the issuance of this subpart through February 28, 1953.

(c) *Source.* (1) Purchases of eligible cottonseed will be made by participating oil millers from cotton ginner who file with the appropriate county committees notice of their intention to participate in the program and who execute and deliver certificates as required by CCC (see § 643.722) evidencing compliance with the terms of this subpart (hereinafter referred to as "participating ginner"). Purchases will also be made directly from such ginner by CCC through county committees in cases where oil millers do not participate in the program and the appropriate State PMA chairman determines that such direct purchases are necessary to make the program effective. Payments to participating ginner for cottonseed purchased by CCC will be made by means of sight drafts drawn on CCC by county committees.

(2) Purchases of eligible cottonseed will be made by participating ginner from producers. Purchases will also be made directly from producers by CCC through county committees in cases where ginner do not participate in the program and the appropriate State PMA chairman determines that such direct purchases are necessary in order to make the program effective. Payments to producers for cottonseed purchased by CCC and for any authorized transportation performed by the producers in accordance with § 643.721, will be made by means of sight drafts drawn on CCC by county committees.

(3) Lists of participating oil millers and participating ginner will be maintained in the appropriate PMA commodity, State, and county offices.

§ 643.719 *Eligible producer.* (a) An eligible producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof or an agency of such State or political subdivision, producing cottonseed in 1952 in the capacity of landowner, landlord, tenant, or sharecropper.

(b) A cooperative association that handles cottonseed for its producer-members will be considered an eligible producer when selling eligible cottonseed delivered to the association and produced by eligible producers who are members of the association.

§ 643.720 *Eligible cottonseed.* Eligible cottonseed shall be cottonseed which meets the following requirements:

(a) Cottonseed must have been produced in the continental United States in 1952 by an eligible producer.

(b) Such cottonseed must have been produced by the person tendering them for purchase, or by the person who delivered the cottonseed to the cooperative association or ginner tendering the cottonseed for purchase, and the beneficial interest in the cottonseed must be in such person and must always have been in him or in him and a former producer whom he succeeded before the cottonseed were harvested. Cottonseed tendered by a cooperative association for purchase must have been produced and delivered to the association by its producer-members. Any person tendering cottonseed for purchase must have the legal right to sell the cottonseed.

§ 643.721 *Purchase price—*(a) *Price to ginner.* Eligible cottonseed will be purchased from participating ginner at the rate of \$66.40 per net ton for basis grade (100), f. o. b. gin, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). Cottonseed which are "below grade" or "off-quality" will be purchased from participating ginner by CCC at the market value of such cottonseed as determined by CCC. The grades of cottonseed purchased by CCC from such ginner shall be determined in accordance with the United States Official Standards for Grades of Cottonseed, by chemical analysis of samples drawn from the cottonseed by federally licensed cottonseed samplers or such other persons as are approved by CCC, and forwarded to federally licensed cottonseed chemists. A ginner tendering cottonseed for purchase by CCC or participating oil millers must not have paid any producer for cottonseed purchased by the ginner on or after the date of filing notice of his intention to participate in the program, less than \$62.40 per gross ton basis grade (100), plus or minus a percentage of such price equal to the percentage by which the average grade of cottonseed for the area in which the gin is located (see § 643.725) exceeded or was less than basis grade (100). Such

average grade shall be determined on the basis of the latest PMA grade report for the area at the time of purchase from such producer or by such other method as the President, CCC, may approve. In areas where both Upland and American-Egyptian cotton are grown, the PMA grade report for any such area shall report the average grade for each such type of cottonseed and the price to be paid producers in the area shall be determined on the basis of the average grade for the area for the type of cottonseed purchased. Notwithstanding the requirement in the preceding three sentences, a participating ginner, after first notifying the county committee for the county where the gin is located of his intention to do so, may reduce the price paid to producers below the price established on the basis of the average grade for the area: *Provided*, That the ginner shall not pay any producer, during the period he is paying such a reduced price, less than \$62.40 per gross ton basis grade (100) with price adjustments computed upon the difference between the average grade of cottonseed produced at the gin during such period and basis grade (100). The average grade of cottonseed produced at the gin during such period shall be determined on the basis of official chemical analyses or oil mill grade reports covering such cottonseed or on such other reasonable basis as may be approved by the county committee. The ginner shall furnish the county committee with certified copies of such chemical analyses, grade reports, or other evidence satisfactory to the county committee, showing the average grade of cottonseed produced at the gin during such period. If it is determined by the State or county committee that any participating ginner paid producers less than the prices he should have paid in accordance with this paragraph, such ginner shall be ineligible to make any further sales to CCC or participating oil millers unless he first pays all of such producers the difference between the price the producers received and the price they should have received. The grade of cottonseed purchased from a producer before the first grade determination for an area is made shall be considered to be 90. A ginner may round per ton prices for cottonseed purchased from producers to the nearest multiple of 10 cents.

(b) *Price to producers.* (1) Any direct purchases from producers will be made at a gin or other designated point of delivery at the rate of \$62.40 per gross ton for basis grade (100), with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). The per ton price thus computed may be rounded to the nearest multiple of 10 cents. The grade of eligible cottonseed purchased directly from producers shall be considered to be the average grade of cottonseed for the area in which the purchase is made (see § 643.725) as determined on the basis of the latest cottonseed grade report for the area published by PMA or by such other method as the President, CCC, may ap-

prove. In areas where both Upland and American-Egyptian cotton are grown, the PMA grade report for any such area shall report the average grade for each such type of cottonseed and the price to be paid producers in the area shall be determined on the basis of the average grade for the area for the type of cottonseed purchased. Notwithstanding the requirement in the preceding two sentences, if at any time while direct purchases are being made the State PMA chairman determines that the average grade for an area as determined on the basis of the latest cottonseed grade report for the area published by PMA is higher than the grade of cottonseed being produced in a county in such area, where direct purchases are being made, the State PMA chairman may reduce the price paid to producers in such county below the price established on the basis of the average grade for the area: *Provided*, That no producer shall be paid, during the period such reduced prices are effective, less than \$62.40 per gross ton basis grade (100) with price adjustments computed upon the difference between the average grade of cottonseed produced in the county during such period and basis grade (100). The average grade of cottonseed produced in the county during such period shall be determined on the basis of official chemical analyses covering cottonseed produced in such county or on such other reasonable basis as may be determined by the appropriate State PMA chairman.

(2) The grade of any cottonseed purchased before the first grade determination for an area is made shall be considered to be 90.

(3) If the producer, upon authorization by the county committee, transports the cottonseed from the point of delivery to CCC to a participating oil miller or approved storage facility or designated concentration point, the producer will be paid for such transportation at a rate not in excess of the commercial rate for such transportation service.

§ 643.722 Approved forms. The approved forms, together with the provisions of this subpart and any supplements and amendments thereto, shall govern the rights and responsibilities of producers and participating ginners. Approved forms may be obtained from PMA county offices. Any fraudulent representation made by a producer or ginner in executing an approved form may render him subject to criminal prosecution under Federal law and liable for any damages resulting from the purchase of the cottonseed involved. Documents executed by an administrator, executor or trustee will be acceptable only where valid in law and must be accompanied by documentary evidence of the authority of the person executing such documents. The approved forms consist of the following:

(a) *Producers.* Producer's Voucher (CCC Cottonseed Purchase Form 5) shall be executed by the producer when the cottonseed are purchased from the producer by CCC.

(b) *Cotton ginners.* (1) Each cotton ginner desiring to sell cottonseed to participating oil millers under 1952 CCC Cottonseed Bulletin 3 or to CCC pursuant

to this subpart shall, prior to tender of any cottonseed for sale, file with the county committee for the county in which each gin is located a Ginner's Notice of Intention to Participate (CCC Cottonseed Purchase Form 1). The filing of such notice does not obligate the ginner to sell any cottonseed to participating oil millers or CCC, but all applicable provisions of this subpart must be complied with by the ginner if any cottonseed are offered by the ginner for sale to participating oil millers or to CCC.

(2) A ginner's Certificate (CCC Cottonseed Purchase Form 2) shall be completed and executed by the participating ginner to cover all cottonseed purchased from him by participating oil millers and the form shall be submitted by the ginner to the appropriate county committee at such times and covering such periods of time as the State PMA chairman determines are necessary to make the program effective. If cottonseed are sold to CCC, the ginner shall prepare and execute a Ginner's Voucher and Certificate (CCC Cottonseed Purchase Form 4) covering the cottonseed and deliver the form to the county committee. Each Ginner's Voucher and Certificate submitted by a ginner to the county committee shall be supported by weight certificates or warehouse receipts covering the cottonseed purchased which have been issued by a participating oil miller or an approved storage facility, and, in the absence of warehouse receipts guaranteeing grade, by official chemical analysis certificates covering the cottonseed and identifying such cottonseed by lot numbers and/or receipt numbers and weights.

§ 643.723 Determination of quantity. The quantity of cottonseed purchased from the ginner shall be the net weight of the cottonseed at first destination, after deduction of the weight of any foreign matter in excess of 1 percent. The quantity of cottonseed purchased directly from a producer shall be the gross weight actually delivered to CCC as determined by the county committee, or by an approved storage facility, or by a participating oil miller.

§ 643.724 Liens. If liens or encumbrances exist on the cottonseed, proper waivers must be obtained.

§ 643.725 Set-offs. (a) If cottonseed are purchased from a producer by CCC under this subpart and the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, such producer must designate CCC or such lending agency as the payee of the proceeds of the purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of amounts due prior lienholders. However, prepayment of only one principal installment on a farm-storage facility loan shall be deducted from the price support proceeds of any one crop year.

(b) If the producer is indebted to any other agency of the United States, and

such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above.

(c) Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders.

(d) Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 643.726 Grade reporting areas. Areas for grade reporting purposes will be established by the Director, Cotton Branch, PMA, and a list of area delineations may be obtained from the Chairman of the applicable State Committee or the Director of the Cotton Branch, PMA, USDA, Washington 25, D. C.

§ 643.727 PMA commodity offices. The PMA commodity offices and the cotton growing area served by each are shown below:

Wirth Building, 120 Marais Street, New Orleans 16, La.: Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Virginia.

1114 Commerce Street, Dallas 2, Tex.: Kansas, New Mexico, Oklahoma, Texas.

333 Fell Street, San Francisco 2, Calif.: Arizona, California, Nevada.

Issued this 16th day of May 1952.

[SEAL] **ELMER F. KRAUSE,**
Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

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[1952 CCC Cottonseed Bulletin 3]

PART 643—OILSEEDS

SUBPART—1952 COTTONSEED PRODUCTS PURCHASE PROGRAM

Sec.	
643.740	General statement.
643.741	Administration.
643.742	Availability.
643.743	Purchases of cottonseed by crusher.
643.744	Purchase of cottonseed products by CCC.
643.745	Linter purchases.
643.746	Crude cottonseed oil purchases.
643.747	Cottonseed cake or meal purchases.
643.748	Less than prime quality products.
643.749	Ceiling prices.
643.750	Storage.
643.751	Carrier and routing.
643.752	Bond.
643.753	Movement of products.
643.754	Books and records.
643.755	Termination.
643.756	Benefits and non-discrimination.
643.757	Assignment.
643.758	Provisional payments.
643.759	PMA commodity offices.

AUTHORITY: §§ 643.740 to 643.759 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1447, 1421.

§ 643.740 *General statement.* As a part of the 1952 Cottonseed Price Support Program formulated by Commodity Credit Corporation (referred to in this subpart as CCC) and the Production and Marketing Administration (referred to in this subpart as PMA), CCC hereby offers to purchase certain cottonseed products produced by any crusher engaged in the crushing of cottonseed (referred to in this subpart as "crusher") on the terms and conditions stated in this subpart. The program will be carried out by PMA under the general supervision and direction of the President, CCC.

§ 643.741 *Administration.* Except as specifically provided otherwise, operations under this subpart will be administered by the PMA commodity offices listed in § 643.759. CCC contracting officers in the appropriate PMA commodity offices will execute contract documents on behalf of CCC. Officials of the PMA commodity offices, PMA State committees, and PMA county committees do not have authority to waive or modify any provisions of this subpart.

§ 643.742 *Availability—(a) Area.* This program will be available in all areas where cottonseed crushing mills are located.

(b) *Source.* (1) Purchases of cottonseed products, in accordance with the terms of this subpart, will be made by CCC from the crushers who notify the appropriate PMA commodity offices of acceptance of the offer contained in this subpart substantially in the following form:

The undersigned crusher hereby accepts CCC's offer to cottonseed crushers, 1952 CCC Cottonseed Bulletin No. 3, for the mills listed below. The crusher understands that by acceptance of this offer he becomes obligated to pay for eligible 1952 crop cottonseed purchased from participating ginner and from eligible producers within the time periods prescribed, and at not less than the applicable prices specified in, and/or determined in accordance with, the provisions of 1952 Cottonseed Bulletin No. 3. The following mills are covered by this acceptance:

(2) If the crusher operates more than one cottonseed crushing mill, he may file one acceptance for those mills for which he desires to accept this offer and shall specify in the acceptance the names and locations of the mills covered by the acceptance; but each such mill shall be treated as a separate unit for the purpose of determining the rights and obligations of the crusher with respect to cottonseed purchased for processing at, and cottonseed products produced at, each such mill; except that, upon request by the crusher and approval by the PMA Commodity Office, where two or more mills covered by the one acceptance are located in such proximity that they have identical freight rates for the shipment of cottonseed products, irrespective of destination, they shall be considered collectively as a single unit with respect to the rights and obligations of the crusher for cottonseed purchased for processing, and cottonseed products produced at each such mill; further, upon request by the crusher and approval by the PMA

commodity office, where a crusher delints cottonseed at one mill and transports the resulting meats to another mill under the same management in the same area for solvent extraction of oil and meal, CCC will accept delivery of linters at the mill where the cottonseed is delinted and oil and meal at the mill where the oil is extracted. CCC will acknowledge in writing the receipt of each acceptance.

(3) The PMA commodity office may permit a crusher to tender and deliver refined cottonseed oil in lieu of crude cottonseed oil when the crusher operates a mill in which oil can be produced only in such form and the crusher, in accepting the offer contained in this subpart, adds to his acceptance notification the following:

The undersigned crusher produces only refined cottonseed oil at the following mills:

In lieu of selling prime crude cottonseed oil to CCC in the applicable quantity indicated in § 643.744 (a) of 1952 CCC Cottonseed Bulletin 3, the crusher proposes to tender a quantity of bleachable prime summer yellow cottonseed oil equal to 91 percent of the applicable quantity of prime crude oil specified in such section if products are offered to CCC under the terms of the Bulletin.

The price of such bleachable prime summer yellow cottonseed oil for each mill where tendered shall be the price at which the nearest refinery which has signed a refiner's contract with CCC under the 1952 cottonseed price support program is delivering oil to CCC at the time of the tender. If there is no such refinery within a reasonable distance of the crusher's mill, or if CCC is not receiving refined oil at such time, the price shall be a fair and equitable price, reflecting a normal differential over the base price for prime crude oil specified in Bulletin 3, as mutually agreed upon by the crusher and CCC. In no event, shall such price exceed the ceiling price established under Federal law and applicable to such tender of product. If, on the basis of sampling and chemical analysis of cottonseed purchased by the mill, it is shown, to the satisfaction of the PMA commodity office, that bleachable prime summer yellow cottonseed oil cannot be produced, the crusher may offer and CCC will accept, in accordance with the rules of the National Cottonseed Products Association, delivery of refined oil of the next highest applicable grade.

The PMA commodity office may also permit a crusher to tender and deliver hull fiber on a cellulose basis in lieu of second cut lint in the applicable quantity specified in § 643.744 (a).

(c) *Time.* The acceptance provided for in paragraph (b) of this section must be forwarded by telegram or registered mail to the Director of the appropriate PMA commodity office as shown in § 643.759 on or before September 15, 1952, or such later date as may be approved by such Director. Cottonseed products processed from eligible cottonseed which were purchased from eligible producers either by participating ginner, or the crusher direct, through February 28, 1953, or such later date as may be approved by the President, CCC, shall be eligible for tender under the offer con-

tained in this subpart: *Provided, however,* That purchases of the cottonseed by the crusher is on or subsequent to the date of his acceptance of the offer, and if purchased from a ginner, on or subsequent to the date of filing of the ginner's agreement to participate in the 1952 cottonseed purchase program (1952 CCC Cottonseed Bulletin 2). The crusher shall notify CCC through the appropriate PMA Commodity Office not later than 30 days subsequent to the final date for purchases of cottonseed from eligible producers under this subpart, or such later date as may be approved by CCC, of the quantity of cottonseed purchased hereunder and the respective quantities of products tendered to CCC, indicating delivery dates which shall be no later than September 15, 1953, or such later date as may be approved by the President, CCC.

§ 643.743 *Purchases of cottonseed by crusher—(a) Eligible cottonseed.* Only 1952 crop cottonseed purchased by the crusher from ginner participating in the 1952 cottonseed purchase program (1952 CCC Cottonseed Bulletin 2), or from producers eligible under such program is covered by this subpart. The crusher must pay for all such cottonseed purchased from ginner under this subpart not less than \$66.40 per ton basis grade (100), f. o. b. gin, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than the basis grade (100), and from producers not less than the applicable gin price to producers determined in accordance with 1952 Cottonseed Bulletin 2. Cottonseed which is a "below grade" or "off quality" as defined in the rules of the National Cottonseed Products Association may be purchased at a price mutually agreeable to the crusher and the ginner or the producer selling the cottonseed. The names and addresses of participating ginner and beginning dates of their participation will be furnished to the crusher by the appropriate PMA commodity office. The crusher may obtain and rely upon information received in writing from either the county or State PMA Committee or from the PMA commodity office as to additions to the list of participating ginner. If a participating ginner should become ineligible to deliver cottonseed, written notice to the crusher of such ineligibility will be given only by the appropriate PMA commodity office.

(b) *Purchases on official grades.* All cottonseed which is purchased by the crusher under this subpart shall be graded in accordance with United States Official Standards for Grades of Cottonseed and shall be purchased on the basis of such grades, unless otherwise approved by the President of CCC. Cost of sampling and chemical analysis of cottonseed shall be for the account of the crusher.

(c) *Weight.* Purchases of cottonseed under this announcement shall be based upon weights at the crusher's mill after deduction of the weight of all foreign material in excess of 1 percent.

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§ 643.744 *Purchase of cottonseed products by CCC*—(a) *Option to tender products*. The crusher shall have the option to sell and CCC shall purchase if offered, for each ton of cottonseed purchased by the crusher under this subpart, the quantities of crude cottonseed oil, 41 percent protein cake or meal and linters specified below for the applicable area.

	Oil (pounds)	41 per- cent pro- tein cake or meal (pounds)	Linters (pounds net weight)
Southeastern area.....	310	869	188
Valley area.....	325	851	182
Texas-Oklahoma area.....	309	943	181
Arizona-New Mexico area.....	332	878	187
California.....	240	900	200

If a crusher elects to sell any products to CCC, the quantities of oil, cake or meal and linters shall be tendered in the proportions specified above for the area in which the mill is located except as provided below. CCC may reject LCL shipments except for a clean-up car on the last delivery of each product, on which the crusher protects the minimum freight rate. Upon prior approval from the PMA commodity office, shipments may be made by truck. Any crusher who produces substantially less linters per ton than the applicable quantity specified above shall not be required to deliver in excess of his actual average outturn of linters per ton of cottonseed, as determined by the appropriate PMA commodity office.

Purchases of linters, oil and cake, or meal, shall be in accordance with §§ 643.745 through 643.748 and applicable rules of the National Cottonseed Products Association in effect on the date of tender of such products except to the extent that such rules are inconsistent with this subpart and except as to periods specified in such rules for presentation of claims and the rules on arbitration. Each tender shall indicate the quantity of cottonseed purchased, the quantities of products tendered to CCC, and the delivery dates. CCC shall confirm in writing all tenders of products under this paragraph which comply with the provisions of this subpart. Each tender by the crusher and confirmation by CCC shall constitute separate contracts for the sale of such products in accordance with the terms of this subpart and the applicable rules of the National Cottonseed Products Association. The obligations of CCC for the purchase of cottonseed products under this subpart shall be limited to those quantities of products manufactured from cottonseed acquired by the crusher under the terms of this subpart up to the time of tender and which have not been sold or contracted for sale to other persons. In determining whether the crusher meets these requirements, all commercial sales contracts for cottonseed products shall be deemed to be the crusher's obligations, first, against products produced or to be produced from cottonseed acquired up to the time of tender and not purchased by the crusher under the terms of this subpart, and

second, against cottonseed purchased by the crusher under the terms of this subpart, regardless of whether such contracts were actually consummated by delivery. Hedges on commodity exchanges do not constitute commercial sales contracts within the meaning of this paragraph. CCC will not accept deliveries of products which bear brand names.

(b) *Conditional tenders*. The crusher may condition any tender of cottonseed products under paragraph (a) of this section upon an immediate repurchase by the crusher from CCC of a specified quantity of cake or meal included in such tender, at the current market price of cake or meal as determined by the PMA Commodity office, which shall not exceed any applicable ceiling price determined under Federal law. CCC reserves the right to reject any or all such conditional tenders and any acceptance by CCC shall be made within 24 hours after receipt of the tender in the PMA Commodity office.

(c) *Brokerage*. The crusher may tender products to CCC through a broker if such tenders are confirmed in writing by the crusher, or if he furnishes CCC with a signed copy of his designation of such broker as his agent. Any brokerage fee shall be for the account of the crusher.

(d) *Areas*. (1) The Southeastern area shall consist of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, and Alabama.

(2) The Valley area shall consist of the States of Arkansas, Illinois, Kentucky, Louisiana, Missouri, Mississippi, Tennessee, and Bowie County, Texas.

(3) The Texas-Oklahoma area shall consist of the States of Oklahoma and Texas excluding Bowie county and excluding District VI which comprises the Texas counties of El Paso, Hudspeth, Pecos, Reeves, Ward, Culberson, Ector, Presidio, and Terrell.

(4) The Arizona-New Mexico area shall consist of the States of Arizona and New Mexico, and the Texas counties of El Paso, Hudspeth, Pecos, Reeves, Ward, Culberson, Ector, Presidio, and Terrell.

(5) The State of California.

§ 643.745 *Linter purchases*. (a) Prices f. o. b. carrier at shipping point. (1) The price for second cut chemical linters, and mill run linters sold on a cellulose basis, shall be 8 cents per pound gross weight basis 73 percent cellulose yield. Premiums and discounts of 0.11 cent per pound shall be made for each variation of one percent, fractions in proportion, of cellulose yield from 73 percent.

(2) The price for first-cut and mill run linters sold on U. S. Grade basis shall be as follows:

Grade	Cents per pound gross weight
U. S. No. 1:	
High.....	14.8
Middle.....	14.3
Low.....	13.8
U. S. No. 2:	
High.....	13.3
Middle.....	12.8
Low.....	12.3
U. S. No. 3:	
High.....	11.8
Middle.....	11.3
Low.....	10.8

Grade	Cents per pound gross weight
U. S. No. 4:	
High.....	10.3
Middle.....	9.8
Low.....	9.3
U. S. No. 5:	
High.....	8.8
Middle.....	8.3
Low.....	8.0
U. S. No. 6:	7.8
U. S. No. 7:	7.7

Where first-cut and mill run linters are classed as one of sub-grades, the price for such sub-grades shall be determined by using the gross weight prices in the above table as follows: "Full" in any grade shall carry the price of the Middle in that grade. "Plus" in any grade shall carry the price of High in that grade. "Minus" in any grade shall carry the price of Low in that grade. "Broad" in any grade shall carry the price of Middle in that grade. "XY short compound" and "XY compound" shall carry the price of the High in the Low grade. "XY" represents any two adjacent grades, such as, grades 2 and 3.

(3) The crusher must elect on or before the date of his first tender of products as to whether he will deliver (i) mill run linters, or (ii) first and second cut linters. If he decides to deliver mill run linters, then he must indicate on or before the date of his first tender of products whether they will be delivered on the basis of cellulose content or U. S. Grade. All tenders of linters shall be submitted in accordance with the elections made by the crusher, unless otherwise approved by the PMA commodity office. Tenders of first and second cut linters shall consist of not more than 35 percent of first cut linters, or such larger percentage of first-cut linters as the crusher may produce as determined by the PMA commodity office.

(4) A discount of \$2.00 per bale shall be made by CCC for bales heavier than 675 pounds, gross weight.

(b) *Bagging*. (1) Bales shall be well covered with close woven bagging. Sisal or paper covering will not be acceptable. Bales shall be baled with new or once-used three-fourths pound linter or heavier covering. *Provided however*, That linter covering of less than three-fourths pound may, upon approval by the PMA commodity office, be used if such covering material is customarily used in trade practice.

(2) Bales shall be bound with a minimum of six new or reworked sound standard arrow type buckle and ties. Total tare shall not exceed 5 percent.

(c) *Quality*. U. S. Grades or cellulose yield shall be determined on the basis of samples drawn by samplers licensed by the U. S. Department of Agriculture, or other samplers approved by CCC. All linters, except as provided for in § 643.748 shall be clean, undamaged, free of excessive hull pepper, shale, and trash and shall not contain motes, sweepings or any other foreign material and, if purchased on a cellulose basis, shall be suitable for chemical use as determined by CCC. Unless the crusher guarantees physical condition of the linters upon arrival at first receiving warehouse in the United States, the PMA commodity office shall, at the expense of CCC, arrange to have a representative

number of bales of such linters inspected for physical condition and acceptability by U. S. licensed cotton linters classifiers, or other persons approved by the PMA commodity office, prior to loading. This inspection shall be made for the purpose of determining generally the condition and acceptability of the linters. However, final acceptance of the linters by CCC shall be made only after arrival and inspection at first receiving warehouse. The linters, when loaded, shall be in good condition, dry and free from weather or other damage. Chemical linters shall be sampled and analyzed in accordance with the rules of the National Cottonseed Products Association in effect on the date of tender. The grade of linters sold on a U. S. Grade basis will be determined by a U. S. licensed cotton linters classifier or the Board of Cotton Linters Examiners of the U. S. Department of Agriculture. The cost of determining the cellulose analyses and the U. S. Grade shall be for the account of CCC.

(d) *Weight.* The official destination weight, or other weight acceptable to CCC, at first receiving warehouse in the United States shall govern. CCC shall notify the crusher by telegram if the destination weight is more than one-half of one percent below the weight as billed by the crusher, and the crusher shall have the option, if he notifies CCC by telegram within 24 hours of the receipt of such notice, to have the shipment reweighed by an official weighmaster at the crusher's expense.

(e) *Loading.* All cars shall be loaded to protect minimum freight rate. All cars shall be carefully swept and cleaned before loading. All linters shall be in such condition that common carriers will accept them for transportation to destination without any charges or expense other than freight. Cars shall be furnished by crusher.

(f) *Delivery.* Within 15 days after the delivery date specified by the crusher in the notice of tender, CCC shall issue delivery instructions for immediate shipment. However, the shipping date covered in the delivery instructions may be extended upon request by the crusher and approval by the PMA commodity office.

(g) *Payment.* The crusher may present to CCC for provisional payment a sight draft drawn against CCC with an invoice and approved shipping documents attached for the value of the linters based on the origin weights and the base price in the case of linters sold on a cellulose basis or, in the case of linters sold on a U. S. Grade basis, the specific grade price if the linters were graded before shipment or 8.5 cents per pound if the linters were not graded before shipment. Final settlement for such linters will be made upon the basis of the U. S. Grade or cellulose yield analysis and the certified destination outturn weight of the linters.

§ 643.746 *Crude cottonseed oil purchases—(a) Base price.* The base price per pound of prime crude cottonseed oil basis f. o. b. buyer's tank cars at crusher's mill shall be the price specified below for the applicable area;

	Cents
Southeastern	15.625
Valley	15.5
Texas-Oklahoma	15.25
Arizona-New Mexico	15.25
California	15.25

(b) *Grade.* The grade shall be basis prime crude cottonseed oil as defined in the rules of the National Cottonseed Products Association, except as provided in § 643.748.

(c) *Quality settlement basis.* The base price shall be adjusted for variance in quality in accordance with the rules of the National Cottonseed Products Association.

(d) *Delivery.* Within 15 days after the delivery date specified by the crusher in the notice of tender, CCC shall issue delivery instructions for immediate shipment. However, the shipping date covered in the delivery instructions may be extended upon request by the crusher and approval by the PMA commodity office.

(e) *Payment.* The crusher may present to CCC for provisional payment, a sight draft drawn against CCC with an invoice and approved shipping documents attached for the value of the oil based on the origin weights and base price. Final settlement for such oil will be made upon the basis of the official analysis and the certified destination outturn weight of the oil.

§ 643.747 *Cottonseed cake or meal purchases—(a) Base price.* The purchase price per pound for 41 percent minimum protein content bulk meal or sized cake, f. o. b. seller's cars at crushing plant, shall be the price specified below for the applicable area:

	Cents
Southeastern	2.8
Valley	2.7
Texas-Oklahoma	2.7
Arizona-New Mexico	2.65
California	2.65

(1) At request of CCC, crushers having pelleting equipment shall deliver pellets at a premium of \$2.50 per ton over the applicable price for meal.

(2) Solvent extracted meal shall be discounted at \$1.50 per ton from the base price. If the crusher repurchases the meal under conditional tender as provided in § 643.744, an amount equal to the discount applied by CCC to the particular meal shall be deducted from the market price determined by CCC.

(3) Slab cake, if delivered by mutual agreement between crusher and CCC, shall be delivered at a discount of \$2.00 per ton from the base price. Mills making only slab cake will not be required to deliver in any other form.

(4) If the crusher, in accordance with local trade practice, as determined by the appropriate PMA commodity office, tenders on the basis of protein content of less than 41 percent, a deduction of \$1.00 per ton per unit of protein below 41 percent will be made, from the base price. The cake or meal of less than 41 percent protein content to be tendered shall be in the same quantity per ton of cottonseed crushed as is applicable to 41 percent protein content cake or meal specified in § 643.744. There shall be no premium for cake or meal in excess of 41 percent protein content.

(5) Meal shall be delivered in bulk or in new or used bags in accordance with instructions from the appropriate PMA commodity office. The price to be paid the crusher for bags, if used, will be the current market price as agreed upon by the appropriate PMA commodity office and the crusher.

(b) *Quality.* The quality shall be prime, as defined in the rules of the National Cottonseed Products Association, except as provided in § 643.748.

(c) *Delivery.* Within 15 days after the delivery date specified by the crusher in the notice of tender, CCC shall issue delivery instructions for immediate shipment. However, the shipping date covered in the delivery instructions may be extended upon request by the crusher and approval by the PMA commodity office.

(d) *Payment.* The crusher may present to CCC for provisional payment a sight draft drawn against CCC with an invoice and approved shipping documents attached for the value of the cake or meal upon the basis of origin weights and quality of the cake or meal certified by the crusher. The sight draft shall not include the value of bags except where agreement has been reached between the crusher and the PMA commodity office as to the value of the bags. Final settlement will be made upon the basis of destination weights and quality determined in accordance with the rules of the National Cottonseed Products Association and the price of any bags used determined in accordance with paragraph (a) (5) of this section.

§ 643.748 *Less than prime quality products—(a) Tenders.* It shall be the responsibility of the crusher to notify CCC at the time of tender whether he proposes to deliver less than prime quality products specifying in the tender the quantity or proportion of the tender which is likely to comprise less than prime quality products, in any case where cottonseed purchased by the crusher under this subpart cannot be processed into prime quality products because of the physical condition and characteristics of the cottonseed at time of purchase or subsequent normal deterioration of such cottonseed between the time of purchase and processing, not resulting from any external causes after purchase by the crusher. The crusher may tender, in accordance with § 643.744, crude cottonseed oil of less than prime quality but not less than the quality indicated by available chemical analysis of such cottonseed; cake or meal of less than prime quality but not less than the quality indicated by chemical analysis or such other evidence as may be required by CCC, or less than prime quality linters but not of a quality below the specified factors for less than prime quality set out in the price discount table for less than prime quality linters below; except that, tenders of less than prime quality linters shall not be accepted by CCC unless the crusher notifies CCC by the 10th of each month that he may later make tenders of less than prime quality linters produced from cottonseed purchased under this subpart during the previous month. CCC shall confirm re-

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ceipt of the crusher's notice. Any tenders of less than prime quality linters later made shall be subject to the applicable provisions of this subpart.

The price of crude cottonseed oil and cake or meal of less than prime quality so tendered and delivered shall be computed by applying discounts determined in accordance with the rules of the National Cottonseed Products Association to the base prices specified in § 643.746 and § 643.747, respectively.

The price of any linters of less than prime quality so tendered and delivered shall be computed by applying the discounts contained in the following table to the base price specified in § 643.745.

Discounts for Specified Less Than Prime Quality Factors First Cut and Mill Run Linters Sold on a Grade Basis

	Discount (cents per pound)
1. Excess pepper.....	0.8
2. Excess trash:	
(a) Regular.....	.8
(b) x x.....	1.8
3. Bollies.....	3.5
4. Hot seed—odor and color slight.....	4.0
5. Sour and musty odors slight.....	1.0

Second Cut and Mill Run Linters Sold on a Cellulose Basis

1. Excess pepper.....	0
2. Excess trash:	
(a) Regular.....	0
(b) x x.....	.8
3. Bollies.....	2.0
4. Hot seed—odor and color slight.....	2.5
5. Sour and musty odors slight.....	.8

The crusher shall submit with each tender of less than prime quality products under this section certificates of chemical analyses of the cottonseed purchased under this subpart and such other information as CCC may require. Notwithstanding any other provisions of this subpart, the quantity of less than prime quality linters to be accepted by CCC under this section shall not exceed a reasonable proportion, as determined by the PMA commodity office, of the total production of less than prime quality linters from all cottonseed crushed from date of acceptance of the offer to date of delivery for such linters. When a tender of less than prime quality products made within the time period specified in § 643.742 is rejected or is not accepted by CCC because the tender is not fully supported by certificates of chemical analysis or such other information as CCC may require, the crusher, upon approval and within a period prescribed by the PMA commodity office, may resubmit the tender with the supporting information required by CCC again offering the less than prime quality products in quantities not in excess of the original tender. ("Less than prime quality linters" as used herein refers to linters which, if classed against the official U. S. Standards would be classed as "off-grade" linters.)

(b) *Arbitration.* In the event of any dispute between the crusher and the PMA commodity office with respect to a determination of fact by such office in connection with a tender of less than prime quality products or the proper discounts to be applied (other than those

covered in the rules of the National Cottonseed Products Association or specified in this subpart), the crusher may, within 30 days after notification of such determination by the PMA commodity office, request an arbitration committee to be established to resolve the dispute. Each committee established will consist of a representative of the crusher, a representative of the PMA commodity office, and a disinterested third party agreeable to both the crusher and the PMA commodity office. The determinations of fact by the arbitration committee shall be final, except that the arbitration committee shall have no authority to waive or modify any right or obligation of CCC or the crusher under this subpart. CCC and the crusher shall bear the costs of arbitration incurred by each of their respective representatives and shall share equally the expenses incurred by the third member of the committee.

(c) *Payment.* No provisional payment shall be made for less than prime quality products tendered and delivered. Payment for less than prime quality products accepted by CCC shall be made by draft drawn on CCC by the crusher after the destination weight and quality and the applicable price have been determined.

§ 643.749 *Ceiling prices.* In accordance with the applicable Office of Price Stabilization General Overriding Regulation No. 26 (17 F. R. 2550), the crusher's ceiling prices for cottonseed products tendered to CCC shall not be lower than the purchase prices announced under this subpart. The prices to be paid by CCC for any products delivered by the crusher shall be the prices determined under this subpart.

§ 643.750 *Storage.* Storage of tendered products by the crusher for the account of CCC shall be covered under separate contracts entered into on behalf of CCC by the appropriate PMA commodity office.

§ 643.751 *Carrier and routing.* The crusher may select the originating carrier on shipments of cottonseed products but any charges in excess of the lowest available transportation rate between the point of shipment and the point of destination named in CCC's instructions shall be paid by the crusher. The routing and loading shall be in compliance with applicable carrier and governmental regulations.

§ 643.752 *Bond.* Upon CCC's request, the crusher shall furnish to CCC a bond conditioned upon the faithful performance by the crusher of his obligations under this subpart. Such bond shall be in such form, and in such amount, and with such sureties, as CCC may approve.

§ 643.753 *Movement of products.* CCC shall not be responsible for any loss or injury caused the crusher by failure of CCC to move cottonseed products due to acts of God or the public enemy, storms, floods, conflagrations, strikes, blockades, riots, embargoes, or priority, allocation service, or other orders or directives issued by the Government or any other cause beyond the control of

CCC. Notwithstanding the foregoing provision, if CCC fails for any reason to issue shipping instructions within the period prescribed in this subpart, the crusher, may have an official analysis or quality determination made, and shall not be responsible for any subsequent loss or deterioration in quality except for any loss, deterioration or damage due to fault or the negligence of the crusher.

§ 643.754 *Books and records.* The crusher shall keep a record of the name of seller, date of receipt, weight, and grade, of each lot of cottonseed purchased under this subpart. The crusher shall keep accurate books, records, and accounts with respect to all purchases of cottonseed and all other transactions under this subpart and shall furnish CCC such information and reports relating thereto as CCC may from time to time request. CCC may at any time examine and audit the books, records, and accounts of the crusher to the extent necessary to assure compliance with the provisions of this subpart.

§ 643.755 *Termination.* The crusher's rights and obligations under an acceptance of the offer contained in this subpart may be terminated at any time by CCC or the crusher, upon written notice to the other party, as to cottonseed purchased by the crusher after the date of such termination and cottonseed products manufactured therefrom. Notwithstanding such termination, the provisions of this subpart shall continue in full force and effect with respect to cottonseed products which are produced by the crusher from cottonseed purchased by the crusher prior to the date of such termination. Nothing contained in this section shall be construed to prevent the termination by CCC of the crusher's rights under this subpart at any time for breach of any provision of this subpart.

§ 643.756 *Benefits and non-discrimination.* No member of or Delegate to the Congress of the United States shall be admitted to any share or part of any contract made under this subpart or to any benefit to arise therefrom, but this provision shall not be construed to extend to benefits arising from such contract if accruing to a corporation, nor shall this provision be construed to prohibit the purchase of cottonseed from a Member of or Delegate to the Congress in his capacity as a producer of such cottonseed. In the performance of any contract made under this subpart, the crusher shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin and shall include a provision in any sub-contract entered into in connection with the performance of any such contract whereby the subcontractor agrees that he will not discriminate against any of his employees or applicants to him for employment because of race, creed, color or national origin.

§ 643.757 *Assignment.* Any contracts resulting from a tender of products by the crusher and acceptance or confirmation by CCC may be assigned or trans-

ferred by CCC at any time, in whole or in part. The crusher shall not assign or transfer any rights or claims arising under this subpart and shall not subcontract for any processing under this subpart without prior written approval by the appropriate PMA commodity office.

§ 643.753 Provisional payments. Where the quality of any products delivered by the crusher under §§ 643.744 to 643.746 results, as determined by the appropriate PMA commodity office, in significant discounts upon final settlement, such office may require that any subsequent sight drafts drawn in accordance with such sections shall be drawn for 95 percent of the value of such products.

§ 643.759 PMA commodity offices. The PMA commodity offices and the cotton growing area served by each are shown below:

Wirth Building, 120 Marias Street, New Orleans 16, La.: Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, and Virginia.

1114 Commerce Street, Dallas 2, Tex.: New Mexico, Oklahoma, and Texas.

335 Fell Street, San Francisco 2, Calif.: Arizona and California.

Issued this 19th day of May 1952.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[P. R. Doc. 52-5677; Filed, May 21, 1952;
8:52 a. m.]

PART 664—TOBACCO

SUBPART—1952 TOBACCO LOAN PROGRAM

Statement with respect to the tobacco price support loan program for the 1952-53 marketing year—1952 crop—formulated by the Commodity Credit Corporation and Production and Marketing Administration (hereinafter referred to, respectively, as "CCC" and "PMA").

- Sec.
664.401 Administration.
664.402 Level of loans.
664.403 Availability of price support.
664.404 Deduction from loans.
664.405 Interest rates, recourse and distribution of net gains.
664.406 Maturity date.
664.407 Eligible producer.
664.408 Eligible tobacco.
664.409 Special loans.

AUTHORITY: §§ 664.401 to 664.409 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054, sec. 2, 59 Stat. 506; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421, 1312n.

§ 664.401 Administration. (a) This subpart will be administered by the Tobacco Branch, PMA, under the general direction and supervision of the President, CCC. The program will be carried out in the field by producer co-

operative associations or other responsible organizations (hereinafter referred to as "cooperatives") under contract with CCC, acting for groups of producers. The names of such cooperatives may be obtained from the Tobacco Branch, PMA, United States Department of Agriculture, Washington 25, D. C.

(b) CCC will make loans to cooperatives which in turn will make advances to eligible producers either directly or through auction warehouses. Loans made to cooperatives will include not only the initial loan value of the tobacco, but also advances for services performed in receiving, packing, storing, and marketing of tobacco pledged for loan. Cooperatives will be authorized to enter into contracts for these services through the usual trade channels.

§ 664.402 Level of loans. (a) As required by statute, the level of price support to eligible producers shall be 90 percent of the respective parity prices on those types of tobacco for which marketing quotas are in effect, except that fire-cured and dark air-cured (including Virginia sun-cured) tobacco shall be supported at 75 percent and 66 percent, respectively, of the level for Burley tobacco. There is shown below the percentage of the parity price and the cents per pound loan levels for each type or kind of tobacco based on the parity price as of February 29, 1952, which were announced on March 10, 1952, as the minimum loan levels for the 1952 crop. The cents per pound loan levels will be computed again as of the beginning of the marketing year, which is July 1, 1952, for flue-cured, and October 1, 1952, for the other kinds of tobacco. Price support will be made available to eligible producers on the 1952 crop of each type or kind of tobacco at the higher of (1) the cents per pound level shown below, or (2) the level computed as of the beginning of the marketing year. Schedules of loan rates by grades for each type or kind of tobacco will be announced as supplements to this statement after the parity price as of the beginning of the marketing year is known.

(b) The loan level for Puerto Rican tobacco, type 46, shall be 90 percent of the parity price as of October 1, 1952, the beginning of the marketing year. Loans will not be available on those types of tobacco for which quotas have been disapproved by producers; namely, Maryland, Pennsylvania Seedleaf, and the cigar filler and binder group.

	1952 percent of parity level	1952 minimum loan level
Flue-cured, types 11-14.	90.	50.6
Burley, type 51.	90.	49.5
Fire-cured, types 21-25.	75 percent of Burley rate.	37.1
Dark air-cured, types 35-36.	66 percent of Burley rate.	33.0
Virginia sun-cured, type 37.	do.	33.0
Puerto Rican, type 46.	90.	(c)

¹ The cents per pound loan level for the 1952 crop of Puerto Rican tobacco, type 46, will be announced based on the parity price as of Oct. 1, 1952.

§ 664.403 Availability of price support. Loans to eligible producers for tobacco pledged for loans will be made in the following manner:

(a) **Auction market area.** The producer will deliver the tobacco to an auction warehouse in the usual manner. The producer generally will receive the advances from the warehouseman for any tobacco placed under loan at the time the warehouseman settles with the producer for the entire quantity of the producer's tobacco that has been displayed for inspection and offered for sale on any one day's auction market. The warehouseman, in turn, will be reimbursed by the cooperative with funds borrowed from CCC.

(b) **Non-auction market area.** Producers in non-auction market areas will deliver tobacco to central receiving points designated by the appropriate cooperative. The producer will receive the advance directly from the cooperative for any tobacco pledged for loans after the tobacco has been graded by U. S. D. A. inspectors.

(c) **Period of loans.** No advances will be made to producers on tobacco tendered for loan prior to or after the dates set forth below:

	Earliest date	Latest date
Flue-cured.	July 1, 1952	Feb. 28, 1953
Burley.	Nov. 1, 1952	Apr. 30, 1953
Fire-cured.	do.	do.
Dark air-cured.	do.	do.
Virginia sun-cured.	do.	do.
Puerto Rican.	Feb. 1, 1953	Sept. 30, 1953

§ 664.404 Deduction from loans. The cooperatives will be required to bear a portion of the overhead costs in connection with the loan operation. In the auction marketing areas, the fee is 12 cents per hundred pounds. For this purpose, the cooperatives will be authorized to charge the producer an equivalent amount. Such charges may be collected by a deduction from the advance made to the producer on his tobacco or by arrangements with the auction warehouseman under which they will collect such charges and remit to the cooperative. In the non-auction market areas, the fee will be established at a rate commensurate with the relative cost of the service performed by the cooperative.

§ 664.405 Interest rates, recourse, and distribution of net gains. The loans made to the cooperatives will bear interest at the rate of 3½ percent per annum and be non-recourse both as to principal and interest except in the case of misrepresentation, fraud, or failure to carry out the terms of the loan contract. As tobacco loses its identity as to original ownership through commingling in the packing process, producers will not be able to redeem their tobacco once it has been pledged for loan. After all of the tobacco of one crop pledged for loan by any cooperative is marketed, any net gains will be distributed by the cooperative to the producers who placed the tobacco under loan, or will be disposed of in such other manner as may be authorized by the cooperative's contract with its members, if such disposition is approved by CCC.

Sec. 729.291 Payment of amounts due persons who have died, disappeared, or have been declared incompetent.

729.292 Payment computed and made without regard to claims.

Authority: §§ 729.280 to 729.292 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375.

GENERAL

§ 729.280 Basis and purpose. (a) The regulations contained in §§ 729.280 to 729.292 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the method to be used in prorating the proceeds received by the designated agency from the sale of excess Valencia peanuts for cleaning and shelling pursuant to section 359 (g) of such act, as amended. Valencia type peanuts were declared to be in short supply on January 5, 1952 (17 P. R. 324).

(b) Public notice of the proposed regulations governing distribution of proceeds received from the sale for cleaning and shelling of Valencia type 1951-crop excess peanuts was given (17 P. R. 2062) in accordance with the Administrative Procedure Act (60 Stat. 237). The regulations are issued after due consideration of recommendations submitted in response to such notice.

(c) The marketing of the 1951 crop of Valencia type peanuts is practically complete. In order that the necessary determinations under these regulations and payments thereunder to producers may be made with reasonable promptness, it is essential that the regulations be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest, and the regulations contained in §§ 729.280 to 729.292 shall be effective upon filing of this document with the Director, Division of the Federal Register.

§ 729.281 Definitions. As used in §§ 729.280 to 729.292 the words and phrases used herein have the meaning assigned to them in § 729.241 of the Marketing Quota Regulations for the 1951 Crop of Peanuts (16 P. R. 5672).

§ 729.282 Instructions and forms. The Director shall cause to be prepared and issued such forms as are necessary and shall cause to be prepared such

State	Total	State Agency	With- hold for private schools
Alabama	211,806	193,100	18,706
Arkansas	67,423	62,000	5,423
California	42,628	42,000	628
New Hampshire	214,231	214,231	
New Jersey	1,947,512	1,947,512	
New York	1,001,794	1,001,794	
North Carolina	2,858,774	2,858,774	
Ohio	2,005,004	2,005,004	
North Dakota	2,104,481	2,104,481	
Oklahoma	1,296,643	1,296,643	
Oregon	1,296,643	1,296,643	
Pennsylvania	3,397,441	3,397,441	
Rhode Island	1,484,402	1,484,402	
South Carolina	1,575,452	1,575,452	
South Dakota	2,305,731	2,305,731	
Tennessee	2,827,750	2,827,750	
Texas	3,405,215	3,405,215	
Utah	2,965,001	2,965,001	
Vermont	181,311	181,311	
Virginia	1,704,202	1,704,202	
Washington	749,000	749,000	
West Virginia	1,299,019	1,299,019	
Wisconsin	1,315,317	1,315,317	
Wyoming	113,572	113,572	
Total	33,618,973	33,618,973	2,608,847

(Sec. 2, 60 Stat. 230; 42 U. S. C. 1751-1760)

Dated: May 19, 1952.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[P. R. Dec. 52-5682; Filed, May 21, 1952; 8:54 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1026 (Peanuts-51)-5]

PART 729—PEANUTS

DISTRIBUTION OF PROCEEDS RECEIVED BY COMMODITY CREDIT CORPORATION FROM THE SALE OF VALENCIA TYPE EXCESS PEANUTS OF THE 1951 CROP FOR CLEANING AND SHELLING

GENERAL

Sec. 729.280 Basis and purpose.

729.281 Definitions.

729.282 Instructions and forms.

729.283 Total pounds delivered.

729.284 Costs to be deducted.

729.285 Rate per pound.

729.286 Producers percentage shares.

729.287 Producers poundage shares.

729.288 Amount due each producer.

729.289 Application for payment.

729.290 Method of payment.

annum. Notwithstanding § 664.407, compliance with acreage allotments and marketing quota regulations will not be a condition of eligibility for tobacco on which loans are made under this section.

Issued this 19th day of May 1952.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

G. F. GRISSLER,
President,
Commodity Credit Corporation.

[P. R. Dec. 52-5681; Filed, May 21, 1952; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter II—Production and Marketing Administration (School Lunch Program), Department of Agriculture

PART 210—REGULATIONS AND PROCEDURE
THIRD APPORTIONMENT OF FOOD ASSISTANCE FUNDS PURSUANT TO NATIONAL SCHOOL LUNCH ACT, FISCAL YEAR 1952

The funds available for purposes of the National School Lunch Act (60 Stat. 230) for food assistance for the fiscal year ending June 30, 1952, are reapportioned as follows in order to effect a further apportionment of supplemental funds pursuant to section 4 of the act.

State	Total	State Agency	With- hold for private schools
Alabama	\$1,547,922	\$2,487,743	\$0,179
Arizona	364,595	374,537	9,942
Arkansas	1,529,484	1,501,208	28,276
California	2,908,374	2,908,374	0
Colorado	329,995	329,995	0
Connecticut	79,537	79,537	0
Delaware	18,897	18,897	0
District of Columbia	1,352,032	1,352,032	0
Florida	2,350,835	2,350,835	0
Georgia	2,436,794	2,436,794	0
Idaho	1,471,749	1,471,749	0
Illinois	1,017,035	1,017,035	0
Indiana	2,144,069	2,144,069	0
Iowa	2,144,069	2,144,069	0
Kansas	2,144,069	2,144,069	0
Kentucky	2,144,069	2,144,069	0
Louisiana	2,144,069	2,144,069	0
Maine	2,144,069	2,144,069	0
Maryland	2,144,069	2,144,069	0
Massachusetts	2,144,069	2,144,069	0
Michigan	2,144,069	2,144,069	0
Minnesota	2,144,069	2,144,069	0

§ 664.406 Maturity date. Loans made under the program will mature on demand but not later than June 30, 1955, unless extended by CCC.

§ 664.407 Eligible producer. (a) An eligible producer is one who has an interest in the tobacco produced on a farm for which the harvested acreage, as determined by the county committee and entered on the marketing card at the time of issuance of the marketing card for the farm, is not in excess of the acreage allotment for the farm.

(b) As Puerto Rican tobacco is not under U. S. marketing quotas, all producers of this type of tobacco are considered eligible producers for the purpose of this program.

§ 664.408 Eligible tobacco. Eligible tobacco shall be U. S. and Puerto Rican tobacco (as defined in the Agricultural Adjustment Act of 1938, as amended) of the 1952 crop which (a) has been properly identified in accordance with applicable tobacco Marketing Quota Regulations on a valid memorandum of sale issued from a "Within Quota" Marketing Card, where marketing quotas are in effect; (b) has been delivered to the cooperative by the original producer prior to sale to any other person; (c) is in sound and merchantable condition; (d) is of a type for which a loan level is provided in § 664.402; and (e) is free and clear of any and all liens and encumbrances.

§ 664.409 Special loans. In view of the anticipated sharp reduction in purchases by United Kingdom dealers and manufacturers, CCC may enter into special loan agreements authorizing the cooperative, in specific instances, to pledge for CCC loans 1952 crop tobacco purchased on the regular auction markets for their account by contracting companies who, under normal conditions, would purchase U. S. tobacco for United Kingdom requirements. Loans will not exceed the level of support by grades established in accordance with § 664.402 plus redrying, purchasing, storage, and other CCC approved carrying and handling costs. For their investment in their purchases, a minimum of \$2.00 per hundred pounds, the contracting companies will receive a 12-month option, subject to extension by CCC, to purchase the tobacco from the cooperatives for the amount loaned by CCC plus interest at 3½ percent per

Instructions for the guidance of the State and county committees as are necessary for carrying out § 729.280 to 729.292. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Commodity Operations, Production and Marketing Administration, United States Department of Agriculture.

§ 729.283 Total pounds delivered.

(a) In determining the total pounds of excess Valencia type peanuts delivered to or marketed through the designated agency, the following shall not be included: (1) Excess Valencia type peanuts marketed after May 15, 1952 (see § 729.253 of the Marketing Quota Regulations for the 1951-Crop of Peanuts, as amended (17 F. R. 3226)); (2) shelled excess Valencia type peanuts retained by seed shellers as a toll for shelling peanuts for seed; and (3) excess Valencia type peanuts with high moisture content purchased under § 646.339 of the 1951-Crop Peanut Price Support Program regulations (16 F. R. 10692).

(b) Totals of the pounds of excess Valencia type peanuts delivered to or marketed through the designated agency shall be determined by obtaining totals of the pounds delivered for oil as shown on all Forms MQ-94 issued from excess oil marketing cards and covering Valencia type peanuts.

§ 729.284 Costs to be deducted. The estimated cost of storing, handling, and selling, and the estimated cost of proration, with respect to Valencia type excess peanuts shall be determined by the Assistant Administrator for Commodity Operations, Production and Marketing Administration, United States Department of Agriculture.

§ 729.285 Rate per pound. The total amount paid to producers for Valencia type excess peanuts delivered to or marketed through the designated agency, the estimated cost of storing, handling, and selling excess peanuts of such type, and the estimated cost of proration, shall be deducted from the proceeds received by the designated agency from the sale of Valencia type excess peanuts for cleaning and shelling to determine the total amount to be prorated to persons who delivered to or marketed through the designated agency Valencia type excess peanuts. A flat rate per pound shall be determined by dividing the total pounds of Valencia type excess peanuts delivered to or marketed through a designated agency into the total amount to be prorated for such type.

§ 729.286 Producers percentage shares. Each producer's percentage share of the picked and threshed acreage of Valencia type peanuts shall be determined by the county committee from the 1951 Performance Report (Form PMA-578). If, before all producers on the farm have signed the application for payment or before a final determination of the percentage and poundage shares by the county committee without the signatures of all producers on the farm, as provided in § 729.289, the county committee determines, on the basis of evidence submitted by any producer on the

farm, that the percentage shares determined from the 1951 Performance Report are incorrect, the county committee shall redetermine the percentage shares for all producers on the farm on the basis of evidence submitted by the producers and any other information available to the county committee.

§ 729.287 Producers poundage shares.

Each producer's poundage share of the Valencia type excess peanuts delivered to or marketed through a designated agency shall be determined by the county committee by multiplying the producer's percentage share of the picked and threshed acreage of Valencia type peanuts, on the farm by the total number of pounds of Valencia type excess peanuts on the farm that were delivered to or marketed through a designated agency. If, before all producers on the farm have signed the application for payment or before a final determination of the percentage and poundage shares by the county committee without the signatures of all producers on the farm, as provided in § 729.289, the county committee determines, on the basis of evidence submitted by any producer on the farm, that the poundage shares determined as provided in this section are incorrect, the county committee shall redetermine the poundage shares for all producers on the farm on the basis of evidence submitted by the producers and any other information available to the county committee.

§ 729.288 Amount due each producer. On each farm, the amount due each producer shall be determined by multiplying the producer's poundage share by the rate per pound determined in accordance with § 729.285.

§ 729.289 Application for payment.

In order to receive payment, each producer must sign an application for payment (CCC Peanut Form 836) certifying the correctness of his percentage and poundage shares. The applicable provisions of the "General Procedure for Applications for Payment," PMA Instruction No. 1066.1 (formerly ACP-207), a copy of which shall be available for public inspection in the office of each county committee, shall apply to the signing of applications for payment or other documents under these regulations. The county committee shall make the application for payment with respect to each farm available for signature by the producer(s) either in the office of the county committee or by mailing such application for payment to the farm operator with a request that he obtain each producer's signature on such application. The county committee shall mail to each producer, at his last known address, a notice informing him whether the application for payment is available in the office of the county committee for signature or is being mailed to the farm operator for signature by each producer. Such notice shall specify the time within which all producers must sign such application and, if the application was mailed to the farm operator, the notice shall also specify the time within which the application must be returned to the county committee. No

payment shall be made to any producer on the farm until all producers on the farm have signed the application for payment, except that, if the county committee determines, after expiration of the time for signature specified in the notice to each producer, that any producer cannot be located or that he has failed or refused to sign such application without good cause, payment may be made to each producer who has signed such application, on the basis of the determination of the percentage and poundage shares for all producers on the farm in accordance with §§ 729.286 and 729.287, and the payment computed for any producer who has not signed the application shall be withheld until application therefor is filed by such producer or his successor. In such event, the determinations by the county committee and payments made thereunder shall be final and conclusive with respect to all producers on the farm.

§ 729.290 Method of payment. Payments to producers will be made by means of sight drafts on Commodity Credit Corporation issued by the State or county committee.

§ 729.291 Payment of amounts due persons who have died, disappeared, or have been declared incompetent. In case of death, disappearance, or incompetency of any producer, his share of the payment shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended (§§ 716.1 to 716.7 of this chapter).

§ 729.292 Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to question of title under State law, without deduction of claims for advances (except for indebtedness to the United States or any agency thereof, subject to set-off under regulations issued by the Secretary (§§ 718.1 to 718.4 of this chapter)) and without regard to any claim or lien against any crop or proceeds thereof in favor of the owner or any other creditor.

Done at Washington, D. C., this 19th day of May 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

(F. R. Doc. 52-5637; Filed, May 21, 1952;
8:48 a. m.)

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 8, Amdt. 1]

CFR 8—AMERICAN UPLAND COTTON SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 of Ceiling Price Regulation 8 is hereby issued.

RULES AND REGULATIONS

STATEMENT OF CONSIDERATIONS

This amendment suspends the provisions of Ceiling Price Regulation 8, including Supplementary Regulations 1 and 2, on and after May 20, 1952. The result of this action is to suspend price controls on all raw cotton.

Ceiling Price Regulation 8, effective March 3, 1951, established dollars-and-cents ceiling prices for sales of raw American upland cotton. It was followed on March 7, 1951, by Supplementary Regulation 1 to CPR 8 which fixed dollars-and-cents ceiling prices for cotton sold on a commodity exchange under a contract to deliver in the future.

In July 1951, cotton prices began a steady decline from the ceiling prices fixed by CPR 8. For example, between June 30, 1951, and September 5, 1951, the average price for Middling $1\frac{1}{16}$ inch cotton on the ten spot markets declined 25 percent, from 45.25 to 34.10 cents per pound. Despite a quick rise to 43.43 cents per pound on November 9, 1951, this price stopped short of ceiling even though total cotton supply was only 4 percent above that of 1950. When the final official crop estimate was published on December 10, 1951, a gradual decline again began, which has continued through the early months of 1952, bringing the average 10 spot market price to a level 15 percent below ceilings on April 20, 1952.

This progressive downward movement in cotton prices has taken place, moreover, despite a Department of Agriculture estimate, released on April 4, 1952, that the carryover of cotton at the end of this crop year will be no larger than that of 1951, and it has been coupled with a decline in domestic consumption of cotton from a daily rate of 39,100 bales in February 1952 to 36,800 bales in March 1952. Accordingly, in the absence of emergency conditions it is not anticipated that CPR 8 ceiling prices will be pierced during the remainder of this crop year. From that time forward, of course, the action of cotton prices will depend in large measure upon the 1952 crop, the size and quality of which cannot accurately be estimated until the late fall months.

It is the judgment of the Director that price controls on raw cotton are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. This amendment, therefore, suspends all provisions of CPR 8, except that records of purchases and sales made prior to May 20, 1952, must be preserved. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, this suspension will be terminated when either one of the two following prices is reached: (1) When the sale of a cotton futures contract in any active trading month (October, December, March, May, or July) is reported at 43.39 cents or higher on any of the cotton futures exchanges designated under the Commodity Exchange Act as contract markets; or, (2) when the official average price of the 10 spot markets is reported by the Department of Agriculture

at 43.05 cents or higher for Middling $1\frac{1}{16}$ -inch cotton.

Cotton prices in the past have shown a high degree of volatility and seasonal movement. There exists, however, a 2.00 cent (200 point) daily fluctuation limit in futures exchange rules which is generally adhered to in the spot cotton markets. Also, the average prices in the 10 spot markets are computed daily and cotton futures prices are reported continually during every trading day. In the judgment of the Director, therefore, the establishment of reconrol points one trading day below ceilings allows sufficient time to terminate this suspension before prices rise above CPR 8 ceilings. Moreover, contracts for sale of cotton at prices higher than pre-suspension ceilings will be entered into at the risk of the contracting parties. The termination of this suspension would cut across any outstanding contracts for delivery of cotton at prices above CPR 8 ceiling prices.

The reconrol point of 43.05 cents, keyed to officially computed average prices in the 10 spot markets, is approximately one trading day below the CPR 8 Area 1 ceiling price of 45.76 cents per pound for a sale of mixed and odd lot, middling $1\frac{1}{16}$ inch, white cotton. The difference of 271 points is composed of the 200 point trading limit for one day plus 71 points, or cents per 100 pounds, representing the current average freight differential between the 10 spot markets and Area 1. The reconrol point of 43.39 cents, keyed to futures sales, is 200 points or one trading day below 45.39 cents, the uniform ceiling price on futures trading in Supplementary Regulation 1 to CPR 8.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 8 is hereby amended by adding a new section, numbered 10, to read as follows:

SEC. 10. *Suspension of ceilings.* All provisions of this regulation are suspended on and after May 20, 1952. You must, however, continue to comply with the record-keeping requirements of section 6 as to all records you were required to have on May 19, 1952. This suspension applies to and includes suspension of the provisions of Supplementary Regulations 1 and 2 to this regulation. The suspension will continue until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Ceiling Price Regulation 8 is effective May 20, 1952.

ELLIS ARNALL,

Director of Price Stabilization,

MAY 20, 1952.

[F. R. Doc. 52-5747; Filed, May 20, 1952; 4:23 p. m.]

[Ceiling Price Regulation 18, Revision 1, Amdt. 5]

CPR 18—MANUFACTURERS' CEILING PRICES FOR WOOL YARNS AND FABRICS

SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 5 to Ceiling Price Regulation 18, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends the provision of Ceiling Price Regulation 18, Revision 1, and Supplementary Regulation 1 thereto, on and after May 20, 1952. This action is taken in line with the policy of suspending or otherwise relaxing price controls on commodities when their selling prices generally are materially below ceilings and are not expected to reach ceiling prices in the foreseeable future.

Prior to this amendment, manufacturers of wool yarns and fabrics had the option of establishing ceiling prices for their products under the General Ceiling Price Regulation, Ceiling Price Regulation 18, or Ceiling Price Regulation 18, Revision 1. Consistent with this suspension, simultaneous action is being taken to suspend CPR 18 and the applicability of the GCPR to sales by manufacturers of wool yarns and fabrics.

Amendment 1 to Ceiling Price Regulation 35, Revision 1, suspended the provisions of Ceiling Price Regulation 35, Revision 1, on and after April 28, 1952, as to wool and alpaca and their top and nolls. The reasons for the suspension of that regulation are similarly applicable to the present action.

During the last 6 months of 1951 and up to the present time, prices of the great majority of woollen and worsted yarns and fabrics have steadily declined, largely as a result of the substantial decline in raw wool prices during this period, and partly as a result of decreased demand for textile products in general. The great variety of blends used by the woollen and worsted industry, and the lack of uniform constructions, particularly in apparel yarns and fabrics, make difficult the expression of relative market conditions in other than general terms. However, in March 1952, prices of wool apparel fabrics generally were more than 20 percent below peak price levels existing in June 1951. Since that time, some further reductions are reported to have been made by leading producers of yarns and fabrics with respect to goods offered for delivery in August and September of 1952.

In the judgment of the Director, therefore, price controls on wool yarns and fabrics, are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, he will terminate it when the price of a futures contract for the nearby month as published by the Wool Associates of the New York Cotton Exchange, reaches \$2.36 for wool or \$3.07 for wool top, or when the Bureau

of Labor Statistics Wholesale Price Index for broadwoven wool fabrics reaches 131.4. This index represents 90 percent of the June 1951 peak. As of March 15, 1952, the latest date for which this index is now available, this index was 115.9.

While wool and wool top prices generally move in the same manner, top, a semi-manufactured product, has in some instances reacted more quickly to inflationary pressures arising out of an increased spot demand for yarns and fabrics. Therefore, the price of top, as well as the price of wool, will be used as one of the points at which this suspension will be terminated. If wool futures reach \$2.36 or if wool top futures reach \$3.07 the Director will not only terminate this suspension but also the suspension of CPR 35, Revision 1. Inasmuch as prices of yarns and fabrics usually tend to lag behind movements in prices of the raw materials, the use of futures prices for wool and wool top, which are published daily, should permit of sufficient time to terminate this suspension before yarn and fabric prices reach inflationary levels. However, in the event that yarns and fabrics should show any marked rise in price before wool or wool top futures reach \$2.36 and \$3.07, respectively, the BLS Index has been included as an additional point for termination of this suspension.

All records which were required to be prepared and preserved under applicable ceiling price regulations in effect prior to this suspension must continue to be preserved.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 18, Revision 1, is hereby amended by adding a new section, numbered 26, to read as follows:

Sec. 26. *Suspension.* All provisions of this regulation and Supplementary Regulation 1 thereto are suspended on and after May 20, 1952, as to all commodities covered by this regulation. You must, however, continue to comply with the record-keeping requirements of section 20 of Ceiling Price Regulation 18, Revision 1, and section 4 of Supplementary Regulation 1 to Ceiling Price Regulation 18, Revision 1, as to all records you were required to have on May 19, 1952. This suspension will continue until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on May 20, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 20, 1952.

[P. R. Doc. 52-5748; Filed, May 20, 1952; 4:23 p. m.]

No. 101—3

[Ceiling Price Regulation 18, Amdt. 2]

CPR 18—MANUFACTURERS' CEILING PRICES FOR WOOL YARNS AND FABRICS

SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 18 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 18, effective April 9, 1951, provided a method for the determination by manufacturers of wool yarns and fabrics of their ceiling prices. CPR 18, Revision 1, effective May 9, 1951, provided an improved method for the determination of ceiling prices for these commodities but it, like CPR 18, was never made mandatory. The provisions of CPR 18, Rev. 1, are this day suspended until further notice by the Director of Price Stabilization. This suspension of CPR 18 is issued in conformity with the suspension of CPR 18, Rev. 1.

The reasons for this action are set forth in detail in the Statement of Considerations of the suspension amendment 5 to CPR 18, Revision 1.

In the judgment of the Director, price controls on wool yarns and fabrics are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, the suspension of price controls on wool yarns and fabrics will be terminated when the price of a futures contract for the nearby month as published by the Wool Associates of the New York Cotton Exchange, reaches \$2.36 for wool or \$3.07 for wool top, or when the Bureau of Labor Statistics Index for broadwoven wool fabrics reaches 131.4.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 18 is hereby amended by adding a new section, numbered 16, to read as follows:

Sec. 16. *Suspension.* All provisions of this regulation are suspended on and after May 20, 1952, as to all commodities covered by this regulation. You must, however, continue to comply with the record-keeping requirements of section 10 as to all records you were required to have on May 19, 1952. This suspension will continue until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on May 20, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 20, 1952.

[P. R. Doc. 52-5749; Filed, May 20, 1952; 4:23 p. m.]

[Ceiling Price Regulation 37, Amdt. 5]

CPR 37—PRIMARY COTTON TEXTILE MANUFACTURERS' REGULATION

SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 5 of Ceiling Price Regulation 37 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends the provisions of Ceiling Price Regulation 37 on and after May 20, 1952. This action is taken in line with the policy of suspending or otherwise relaxing price controls on commodities whose selling prices generally are materially below ceilings and are not expected to reach ceiling prices in the foreseeable future.

Ceiling Price Regulation 37, issued May 16, 1951, and this amendment suspending its provisions, relate only to the following: Sales by manufacturers of unfinished cotton yarns and fabrics, of such mill finished cotton fabrics as chambrays, denims, and flannels (except printed flannels) and of such end-use cotton products as blankets, diapers, pillow cases, sheets, towels and woven bedspreads. They do not cover sales by converters or finishers of cotton yarns or fabrics or sales of yarns or fabrics in which the cotton component consists entirely of imported cotton or of domestic cotton of a staple longer than 1 1/4 inches. The yarns and fabrics covered are those which after production but before finishing consist of 50 percent or more of domestic cotton by fiber weight and contain less than 25 percent by fiber weight of any one of either wool, rayon, nylon or other fibers.

Since March 1951, there has been a marked decline in the selling prices of cotton textile products. As of March 1952, prices of all cotton products had declined approximately 16.5 percent from the ceiling price levels established under the GCPR. Subsequent to March 1952, further declines have occurred. It appears that the cotton textile industry is, in the absence of unforeseen developments, able to meet any likely increase in demand without cotton goods prices rising to ceiling levels. In the judgment of the Director, therefore, price controls on cotton textile products are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended.

The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization pro-

RULES AND REGULATIONS

gram. In any event, the suspension will be terminated in whole or in part on the basis of the criteria which are described below.

A group of representative constructions of cotton fabrics has been selected to form a composite index for use in determining when to terminate this suspension on all cotton textiles. When the index reaches 90 percent of 1951 peak prices, the suspension will be terminated and price controls reinstated for all cotton textile products. Based on current prices, the index will have to rise 17.5 percent to reach the recontrol point.

Not all cotton products have declined in price equally far below ceiling. In general, the products that are further below ceilings are those usually more volatile in price, while those that are closer to ceiling prices normally are not subject to equally wide and rapid fluctuations. It is therefore believed that suspension of ceiling prices is presently appropriate for all cotton products and that, should suspension have to be terminated, it would probably be necessary to terminate it for all cotton products. Nevertheless, price movements will be closely watched and whenever any significant category of yarns or fabrics threatens to pierce ceilings, suspensions as to the particular group of products will be terminated.

This suspension is made effective by addition of a new section 18 to the regulation. All provisions of CFR 37 are suspended except that all records which were required to be prepared and preserved prior to the effective date of this amendment must continue to be preserved.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 37 is hereby amended by adding a new section, numbered 18, to read as follows:

SEC. 18. Suspension. All provisions of this regulation are suspended on and after May 20, 1952. You must, however, continue to comply with the record-keeping requirements of section 12 as to all records you were required to have on May 19, 1952. This suspension will continue until the Director of Price Stabilization terminates or modifies it in whole or in part. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on May 20, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 20, 1952.

[F. R. Doc. 52-5750; Filed, May 20, 1952; 4:23 p. m.]

[General Overriding Regulation 4, Revision 1, Amdt. 1]

GOR 4—EXEMPTIONS AND SUSPENSIONS OF CERTAIN CONSUMER SOFT GOODS

SUSPENSION OF CERTAIN SYNTHETIC, SILK, COTTON AND WOOL YARNS AND FABRICS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to General Overriding Regulation 4, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds the following three groups of commodities, when sold by manufacturers, to the commodities suspended from price controls by section 3 of General Overriding Regulation 4, Revision 1: (1) Certain synthetic and silk yarns and fabrics; (2) certain wool yarns and fabrics; (3) cotton yarns and fabrics. This suspension does not apply to sales made in the territories and possessions of the United States. This action is being taken in line with the policy of suspending or otherwise relaxing price controls on commodities whose selling prices are substantially below ceilings and are not expected to reach ceiling prices in the foreseeable future. In the judgment of the Director, price controls on the three groups of commodities covered by this amendment are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. However, all records which were required to be prepared and preserved under applicable ceiling price regulations in effect prior to this suspension must continue to be preserved. In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

Certain synthetic and silk yarns and fabrics. The following commodities, when sold by the manufacturer (including the converter) are covered by this amendment:

Processed synthetic and silk yarns, synthetic fabrics (except synthetic tire fabrics), silk fabrics, and certain fabrics and yarns which are composed of blends of textile fibers. Both greige and finished fabrics are included. Synthetic fabrics include fabrics made of rayon, acetate, nylon, orlon, dacron, dynel, glass, and other man-made fibers. Rayon, acetate, and nylon comprise the bulk of the synthetic fabrics produced.

An examination of the prices at which rayon, acetate, and nylon fabrics are currently being sold in the greige shows that they are markedly below ceiling prices. For example, representative acetate tafetas are today selling from 33 to 39 percent below their 1951 peak; representative nylon fabric prices range from 26 to 43 percent below the 1951 peak. Moreover, the present conditions of supply and demand make a rapid or significant rise in the prices of these fabrics unlikely in the near future.

While the prices of the newer synthetic fabrics, such as orlon, dacron, acrilon and dynel are not characterized

by the same degree of softness as prevails in the case of acetate, rayon, and nylon, these newer fabrics constitute only a small fraction of the total production of synthetic fabrics—in fact, some of the newer ones are still in a developmental and experimental stage. Moreover, in view of the generally soft market prevailing in the textile area, there is no indication that prices of these newer fabrics will rise appreciably in the near future. Accordingly, these fabrics are being suspended from controls along with the other synthetics.

An analysis of representative silk greige goods prices indicates that they have declined from 9 to 26 percent since January 1951. Silk fabrics are competitive with synthetics in that the channels of distribution for both commodities are much the same and they are used generally for the same end purposes. Although the price decline has not been as great as in the synthetic area, there appears to be a sufficient degree of softness in the silk fabric market to warrant suspension of silks as well as synthetics.

Since the movement of prices for synthetic and silk finished goods closely parallels that for greige goods prices, the decline in greige goods prices has been generally reflected in the price of the finished goods. Therefore, the same reasons which have led to the suspension of ceiling prices on greige goods apply as well to finished goods.

Processed yarns made of synthetic or silk fibers did not decline from peak prices as markedly as did synthetic and silk fabrics. The decreases, nevertheless, are sufficiently significant to suspend these yarns from control, particularly since these yarns comprise only a small portion of total synthetic and silk yarn sales.

Synthetic staple, tow and continuous filament yarn as produced by the initial manufacturer as well as synthetic tire fabric are being retained under price controls. The bulk of synthetic yarns produced by the primary manufacturer is selling at or near ceilings. Synthetic tire fabrics are at their peak level, approximately 13 percent above pre-Korean prices, with demand in excess of supply.

The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, the suspension will be terminated in whole or in part on the basis of the criteria described below.

A group of representative rayon greige fabrics has been selected to form a composite index for use in determining when to terminate this suspension on all synthetic and silk textiles. While the index includes only synthetic greige goods, the reimposition of controls on all synthetic and silk fabrics and yarns covered by this amendment will be dependent upon the criteria established for synthetic greige goods. Because of the constantly varying finishes, design and styling, it is extremely difficult to develop a meaningful price series which can serve as a barometer of price movements for finished

fabrics. Similarly, it has not been possible to establish a separate barometer for processed synthetic and silk yarns because of the wide variations in processing with respect to plying, dyeing and put-up. On the other hand, the interchangeability of many of the fabrics and yarns here involved normally causes them to experience approximately the same price movements. Therefore, the index developed for representative rayon greige fabrics may normally be expected to reflect the price movements of all the synthetic and silk yarns and fabrics affected by this amendment. When the index reaches 85 percent of 1951 peak prices, the suspension will be terminated and controls reinstated for all synthetic and silk fabrics and yarns covered by this amendment. Based on current prices, the index will have to rise 33 percent to reach the point for termination of suspension.

In addition, the Director will terminate this suspension for individual fabrics or groups of fabrics where prices for such fabrics or groups of fabrics have risen out of proportion to prices of other fabrics and such action is deemed necessary in the interest of the stabilization program.

Certain wool yarns and fabrics. This amendment covers all yarns and fabrics, containing 25 percent or more of wool or wool waste by fiber weight, when sold by the manufacturer. It does not affect soft surface floor coverings.

The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, the suspension of wool yarns and fabrics will be terminated when the price of a futures contract for the nearby month as published by the Wool Associates of the New York Cotton Exchange, reaches \$2.36 for wool or \$3.07 for wool top, or when the Bureau of Labor Statistics Index for broadwoven fabrics reaches 131.4.

Simultaneously with the issuance of this amendment, suspensions of CPR 18 and CPR 18, Rev. 1, the wool yarn and fabric regulations, are being issued. Inasmuch as these regulations were never made mandatory, manufacturers of wool yarns and fabrics have had the option to determine their ceiling prices under the General Ceiling Price Regulation. Accordingly, in order to suspend sales of these commodities by manufacturers from all price controls they have been added to the items covered by General Overriding Regulation 4, Revision 1.

The considerations underlying the suspension of controls, as well as those underlying the selection of the reimposition point for wool yarns and fabrics are explained in the Statement of Considerations to Amendment 5 to CPR 18, Revision 1.

Cotton yarns and fabrics. This amendment covers all sales by the manufacturer of finished and unfinished cotton yarns and fabrics which consist, after production but before finishing, of 50 percent or more of cotton by fiber weight and which contain less than 25 percent by fiber weight of any one of either wool, rayon, nylon or other fibers. Its cover-

age includes, therefore, sales by cotton textile converters and finishers who are considered to be "manufacturers," i. e. converters who sell yarns or finished piece goods which they finish or which are finished for their accounts by someone else and finishers, dyers, or throwsters who sell yarns or finished piece goods which they process for their own accounts and risk. Inasmuch as finishers, dyers or throwsters who process yarn or piece goods which are owned by someone other than themselves are not "manufacturers" but render a service for others, their ceiling prices are governed by CPR 34 and are not affected by this action.

Ceiling Price Regulation 37, issued May 16, 1951, established ceiling prices for sales by the manufacturer of unfinished cotton yarns or fabrics and certain mill-finished fabrics except those in which the cotton component consisted entirely of imported cotton or of domestic cotton of a staple longer than 1 1/4 inches. The use of that regulation was never made mandatory and manufacturers covered by its provisions have continued to have the election to establish their ceiling prices under either that regulation or the General Ceiling Price Regulation. Ceiling Price Regulation 22 established ceiling prices for sales by the manufacturer of all other cotton yarns and fabrics not covered by CPR 37. Like CPR 37, it has never become mandatory for all manufacturers covered. Amendment 5 to CPR 37 suspends the provisions of that regulation. In order to suspend from the operation of these several regulations all sales by manufacturers of cotton yarns and fabrics, these commodities have been added to the items covered by General Overriding Regulation 4, Revision 1.

The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, the suspension will be terminated in whole or in part on the basis of the criteria set forth in the Statement of Considerations to Amendment 5 to CPR 37. The considerations underlying the suspension of controls, as well as those underlying the selection of the recontrol points for cotton yarns and fabrics are explained in the Statement of Considerations to Amendment 5 to CPR 37.

AMENDATORY PROVISIONS

Section 3 of General Overriding Regulation 4, Revision 1, is amended, by adding the following three paragraphs:

(c) The following yarns and fabrics when sold by the manufacturer thereof: Spun, plied, thrown, dyed or otherwise processed yarns and greige and finished fabrics composed wholly or partly of synthetic or silk fibers or yarns, except sales in the territories and possessions of the United States and sales of the following: (1) Synthetic tire fabric, (2) yarns or fabrics containing 25 percent or more of wool or wool waste by fiber weight and (3) yarns or fabrics which consist, after production but before finishing, of 50 percent or more of cotton by fiber weight and containing less than 25 percent by fiber weight of any

one of either wool, rayon, nylon or other fibers. Nothing in this paragraph shall be construed to apply to synthetic staple, tow, or continuous filament yarn as produced by the initial manufacturer, or to raw silk.

(d) Yarns and fabrics, when sold by the manufacturers thereof, containing 25 percent or more of wool or wool waste by fiber weight, except sales made in the territories and possessions of the United States and sales of soft surface floor coverings.

(e) Yarns and fabrics, when sold by the manufacturers thereof, consisting, after production but before finishing, of 50 percent or more of cotton by fiber weight and containing less than 25 percent by fiber weight of any one of either wool, rayon, nylon or other fibers, except sales in the territories and possessions of the United States.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to General Overriding Regulation 4, Revision 1, is effective May 20, 1952.

ELIJS ARNALL,

Director of Price Stabilization.

MAY 20, 1952.

[F. R. Doc. 52-5751; Filed, May 20, 1952; 4:23 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 53, Revision 1]

GCPR, SR 53—ADJUSTMENT OF CIGARETTE "LOSS-LEADER" PRICES COVERED BY STATE STATUTE

ARKANSAS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Revision 1 of Supplementary Regulation 53 is hereby issued.

STATEMENT OF CONSIDERATIONS

Prior to the issuance of the General Ceiling Price Regulation (GCPR), many States had enacted statutes requiring resellers of cigarettes and alcoholic beverages to sell them at or above prescribed minimum prices. These statutes have been passed with increased frequency by State governments in recent years and, at the time of issuance of the GCPR, several State legislatures were considering bills proposing similar legislation. After the issuance of GCPR on January 26, 1951, several of these latter States enacted similar laws. In the case of conflict between a Federal and a State law, it is clear that the Federal law prevails. In fact, there was no conflict between GCPR and the State minimum price laws in those States in which the laws were in effect and enforced during the GCPR base period, because the GCPR ceiling prices of the sellers in those States reflected the State minimum prices. There may be a conflict between ceiling prices and State minimum prices in those States which passed their laws after the issuance of GCPR. This statement establishes the policy which the

Office of Price Stabilization will apply to these State minimum prices which became effective after the General Ceiling Price Regulation.

The history of the Arkansas cigarette minimum price law and of Supplementary Regulation (SR) 53 to the GCPR illustrates the problems involved in recognition of these minimum prices in ceiling price regulations. At the time of issuance of GCPR most sellers of cigarettes in Arkansas were selling at prices in line with the minimum resale price laws. Accordingly, when Arkansas passed its minimum price law, there was no conflict between those sellers' ceilings and the Arkansas statute. However, a few sellers of cigarettes in Arkansas were, during the GCPR base period, selling at prices below those prescribed by the subsequently enacted statute. Until the issuance of SR 53, these few sellers were prohibited by GCPR from raising their prices to the Arkansas minimum price. When SR 53 became effective on September 4, 1951, these sellers were permitted to raise their ceiling prices to the State minimum price level.

On February 1, 1952, the Director of Price Stabilization issued a revocation of SR 53 requiring these sellers to use their former ceiling prices. The revocation was not made effective pending consideration of arguments by the opponents and proponents of SR 53. When the revocation was issued, it was based on the ground that to limit SR 53 to Arkansas would be unjustly discriminatory, since there were other States with similar situations, and that to extend SR 53 to those other States would be inflationary. Rather than permit inflation by extending SR 53 to the other States, it was concluded to revoke SR 53. A re-examination of the Arkansas situation has confirmed the conclusion that while a more general recognition of State minimum prices would be inflationary, SR 53 is neither inflationary nor unjustly discriminatory when limited to a situation identical to that prevailing in Arkansas for these reasons:

First and most important, very few Arkansas sellers were frozen under GCPR with ceiling prices below the levels prescribed by the State. Because of the small number of sellers involved, permitting those few sellers to raise their ceiling prices to the State minimum price has no significant effect on the general level of cigarette prices in Arkansas. Thus, the recognition of the Arkansas minimum prices has no substantial inflationary result and does not result in materially changing the price level prevailing within the State for the commodity.

In the second place, the Arkansas statute was under active consideration and in the final stages of enactment at the time of the issuance of the GCPR. This legislation had gone far beyond the routine consideration of State minimum price proposals which many State legislatures deal with each legislative session. The Arkansas law was obviously not passed in contemplation of price control.

Thirdly, the Arkansas statute related only to cigarettes, a commodity peculiarly subject to loss leader merchandising by sellers not selling tobacco products as

a part of their normal business. Cigarettes which have made unique characteristics which have made them the subject of special attention by State legislatures in dealing with minimum price problems. Cigarettes have been used as loss leader items more generally than other commodities. Moreover, establishments such as furniture stores which do not normally sell tobacco products, have sold cigarettes as loss leaders in order to attract customers. This use of cigarettes as a loss leader has interfered with the operations of those who sell tobacco products as a part of their normal business. Alcoholic beverages have also been the special subject of minimum price laws for a different reason. Many State legislatures have considered that it is bad public policy to permit the low-price sale of intoxicating beverages and in the interest of public health and morals have passed specific legislation prohibiting sales below minimum prices. Because of the unique characteristics of both of these commodities, the policy established here is limited to cigarettes and alcoholic beverages.

On the other hand, it would obviously be inflationary to extend SR 53 to other State minimum prices embracing commodities other than cigarettes and liquor, to statutes which reached active and final consideration only after the issuance of GCPR, to States in which the minimum prescribed resale price is higher than the ceiling prices of a substantial number of sellers so that the recognition of the minimum prices would substantially increase general selling prices, or to permit a markup on the increased Federal cigarette tax effective November 1, 1951, which would substantially increase retail prices of cigarettes. The Office of Price Stabilization could not extend the principle of SR 53 to any of these situations or amend SR 53 to permit a markup on the increased Federal cigarette tax since it would be inconsistent with economic stabilization "to acquiesce in minimum prices established for whatever purpose by State or local legislative bodies." However, permitting SR 53 to remain in effect for Arkansas or extending its principle to any other State with identical facts would not be inflationary. Accordingly, the Director is hereby reinstating SR 53 and will provide similar treatment for sellers subject to other State laws when the three conditions listed above are met. Until a specific regulation or order permitting sellers to raise their ceiling prices to the State minimum prices is issued and becomes effective, sellers will be required to comply with their ceiling prices even if they conflict with those minimum prices.

This revision supersedes Supplementary Regulation 53 to the General Ceiling Price Regulation as originally issued and amended, the revocation and all amendments thereto.

FINDINGS OF THE DIRECTOR

In the judgment of the Director of Price Stabilization, the ceiling prices established by this revised supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in the furtherance of the objectives of the Defense Production Act of 1950; to parity prices and the other minimum requirements of the law including prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to factors of general applicability.

In formulating this revised supplementary regulation the Director has consulted extensively with industry representatives, including trade association representatives, and has given full consideration to their recommendations.

REGULATORY PROVISIONS

Sec.

1. To whom this revised supplementary regulation applies.
2. Adjustment of ceiling prices.
3. Continued applicability of the General Ceiling Price Regulation.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. To whom this revised supplementary regulation applies. You are covered by this revised supplementary regulation if you meet the following conditions:

- (a) You sell cigarettes;
- (b) You are required under Act 101 of the General Assembly of the State of Arkansas, effective June 6, 1951, to charge for cigarettes you sell the prices established under that act; and
- (c) Your ceiling prices under the General Ceiling Price Regulation are lower than the prices you are required to charge under that act.

SEC. 2. Adjustment of ceiling prices. If you are covered by this revised supplementary regulation you may increase your ceiling prices for cigarettes up to the minimum prices required to be charged under the statute referred to in section 1 of this regulation, except that, if the price paid by you for cigarettes on or after November 1, 1951, exceeds the price paid by you for cigarettes before November 1, 1951, because of an increase in Federal cigarette taxes on or after November 1, 1951, you may reflect that increase in your cigarette ceiling prices only pursuant to the provisions of section 20 of the General Ceiling Price Regulation, as amended.

SEC. 3. Continued applicability of the General Ceiling Price Regulation. All provisions of the General Ceiling Price Regulation, except as modified by this supplementary regulation, continue to apply to you even though you may be one of the sellers who are authorized under this regulation to increase their ceiling prices.

Effective date. This revised supplementary regulation shall be effective May 21, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

MAY 21, 1952.

[F. R. Doc. 52-5764; Filed, May 21, 1952; 4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board [Interpretation 6]

INT. 6—EXTENDED WORKWEEK COMPENSATION UNDER GENERAL SALARY ORDER 10

1. Q. What is the purpose of General Salary Order 10?

A. (a) To permit employers, who had a plan or practice in effect on or prior to January 25, 1951, of compensating employees under the jurisdiction of the Salary Stabilization Board for hours worked in excess of a normal workweek, to continue such plan or practice on a self-administering basis; and

(b) To permit employers, on a self-administering basis, to compensate certain employees under the jurisdiction of the Salary Stabilization Board for additional hours of work performed in excess of a normal workweek during a regularly extended workweek.

SECTION 1—MAINTENANCE OF PAST PRACTICE

2. Q. What is a normal workweek?

A. A normal workweek represents the usual number of hours worked in the course of a week by an employee in a particular position as a matter of normal practice on or before January 25, 1951. The number of hours must be definitely ascertainable from past practice, either on the basis of the past work activity of a particular employee or of a group of employees.

3. Q. Are there employees under the jurisdiction of the Salary Stabilization Board who do not have a normal workweek?

A. Yes. It is common for employers to fix the compensation for positions of an executive, administrative or professional character on the basis of the work requirements of the position without prescribing a fixed number of hours to be worked during any week or other time period. This is also generally applicable to outside salesmen.

4. Q. If an employer, on or prior to January 25, 1951, had a practice of paying all employees under the jurisdiction of the Salary Stabilization Board additional compensation for hours worked in excess of the normal workweek, may he continue such practice regardless of the type of work performed by the employees?

A. Yes. The type of work performed by the employees would only be material if the employer did not have such a past practice and now desired to pay such additional compensation.

5. Q. An employer had a practice in effect on January 25, 1951, of paying additional compensation for hours worked in excess of a normal workweek to all foremen, two groups of professional engineers and all administrative employees. The additional compensation was paid on the basis of three-quarters (75 percent) of the straight-time pay of these employees. May the employer now discontinue his plan as to the foremen and professional engineers and pay extended workweek compensation to them on a straight-time basis in accordance

with the provisions of section 4 of the order, but keep the plan in effect as to the administrative employees?

A. Yes, assuming that the overtime of those groups changed to a straight-time overtime basis are working on a regularly extended workweek as defined in section 4 of the order.

6. Q. An employer, on or prior to January 25, 1951, had a practice of paying his foremen and certain other supervisors additional compensation for hours worked in excess of the normal workweek at the same rate as the overtime rate (time and one-half) paid to employees supervised by them. May the employer continue to pay such additional compensation at the rate of time and one-half?

A. Yes.

SECTIONS 2, 3, AND 4—ESTABLISHMENT OF NEW PRACTICES

In the following questions, it is assumed that, on or prior to January 25, 1951, the employer did not have a plan or practice of paying employees under the jurisdiction of the Salary Stabilization Board additional compensation for hours worked in excess of a normal workweek.

7. Q. What is extended workweek compensation?

A. Extended workweek compensation is additional compensation paid to eligible employees for additional hours worked in excess of the normal workweek during a regularly extended workweek.

8. Q. Are all employees under the jurisdiction of the Salary Stabilization Board eligible for extended workweek compensation without prior approval of the Office of Salary Stabilization?

A. No. Only employees in the categories designated in section 2 of the order are eligible (see Q. 13).

9. Q. May extended workweek compensation be paid to eligible employees for all hours worked in excess of a normal workweek regardless of the circumstances under which the work was performed?

A. No. Extended workweek compensation may be paid only if such additional hours are worked as part of a "regularly extended workweek", as defined in section 3 of the order.

10. Q. Employees eligible for extended workweek compensation voluntarily work each week several hours in excess of their normal workweek in order to complete their weekly workload. May these employees be paid extended workweek compensation?

A. No. Extended workweek compensation may be paid for such additional hours of employment only if the employees have been previously authorized by their supervisor to work such hours.

11. Q. Eligible employees are from time to time required by their supervisor to work one or two extra hours per week on special assignments. The occasion for such work arises once or twice a month. May such employees receive extended workweek compensation?

A. No. Hours worked in excess of a normal workweek, based upon work performed occasionally or irregularly as part of the normal requirements of a

position, cannot serve as the basis for extended workweek compensation.

12. Q. Must the number of additional hours of employment constituting a regularly extended workweek be the same from week to week?

A. No.

13. Q. Which employees under the jurisdiction of the Salary Stabilization Board are eligible to receive extended workweek compensation without the prior approval of the Office of Salary Stabilization?

A. The following categories of employees may be paid extended workweek compensation:

1. Foremen or supervisors in a position comparable to foremen;

2. Professional engineers, employed in a professional (i. e. non-administrative, non-executive) capacity who are qualified by education and experience to practice engineering;

3. Other employees whose compensation or work activity is so integrally related to the compensation or work activity of such foremen, supervisors or professional engineers that the payment of extended workweek compensation to the latter without similarly compensating the former would disrupt customary differentials in compensation or create intraplant inequities.

14. Q. May the following employees receive extended workweek compensation:

a. An office manager;
b. A supervisor in the shipping department of a company;
c. A supervisor of saleswomen in a drug and cosmetic department of a department store?

A. Yes. Each of these employees is a supervisor in a position comparable to a foreman. It is not necessary for such a supervisor to be engaged in production activities in order to be eligible for extended workweek compensation under section 2 (a) (1) of the order.

15. Q. E, who has a degree in civil engineering and who has had extensive practical experience as a civil engineer, is employed by a firm of engineering consultants as vice-president in charge of sales. Is he eligible to receive extended workweek compensation under section 2 (a) (2)?

A. No. Although he possesses the required education and experience to be a professional engineer, he is employed in the capacity of an executive rather than that of a professional engineer.

16. Q. On March 3, 1952, the foremen at the plant of the Z Corporation were formally advised that, commencing with the current payroll period, they would receive extended workweek compensation for additional hours worked. Would the (nonworking) assistant foremen under them and the general foremen supervising them be eligible to receive such compensation under section 2 (a) (3)?

A. Yes. Their work is in such close association with that of the foremen that the payment of such additional compensation would be necessary to avoid intraplant inequities. Their compensation may also be so related in the employer's compensation structure to that of the foremen that the payment of such additional compensation would also be nec-

essary to maintain customary differentials in compensation.

17. Q. Assume the same basic facts as in question 16. Would the assistant plant superintendent and plant superintendent be eligible to receive extended workweek compensation under section 2 (a) (3)?

A. Only if they work in such close association with the foremen or their compensation in the employer's compensation structure is so related to that of the foremen that the payment of such compensation would be necessary in order to avoid an intraplant inequity or to maintain customary differentials in compensation.

18. Q. Assume the same basic facts as in question 16. Would the executive vice-president in charge of production at the plant be eligible for extended workweek compensation under section 2 (a) (3)?

A. No. Although his work activity and that of the foremen are both part of the production activities of the company, his work activity is not so associated with, nor his compensation so related to, that of the foremen as to satisfy the requirements of section 2 (a) (3).

19. Q. Assume the same basic facts as in question 16. Would any of the supervisors in the service departments of the company be eligible to receive extended workweek compensation under section 2 (a) (3)?

A. No. Their work activity is not so associated with, nor their compensation so related to, that of the foremen to satisfy the requirements of section 2 (a) (3). However, they may be eligible for extended workweek compensation as supervisors in a position comparable to foremen (see Q. 14).

20. Q. A group of engineers and scientists work in close association with each other in the laboratory of a corporation. Under the order, the engineers are eligible to, and do receive, extended workweek compensation. May the scientists also receive extended workweek compensation under the order without the prior approval of the Office of Salary Stabilization?

A. Yes, provided that the association of work between them and the engineers is such that it qualifies them as eligible for extended workweek compensation under section 2 (a) (3) of the order.

SECTION 4

21. Q. The Z Corporation desires to pay its foremen and other eligible supervisory personnel extended workweek compensation at the same rate as the overtime rate (time and one-half) paid to employees supervised by them. May the corporation without the approval of the Office of Salary Stabilization, pay these supervisory employees extended workweek compensation at the rate of time and one-half?

A. No. The payment of extended workweek compensation to any employees, eligible to receive such compensation under section 2, may not exceed the straight-time rate paid to such employees without prior approval of the Office of Salary Stabilization. In this respect, employees eligible to receive extended workweek compensation under section 2 are in a different position from

employees eligible to receive compensation for additional hours worked in excess of a normal workweek under section 1.

SECTION 5—RECORD-KEEPING

22. Q. Is an employer required to maintain special records of payments of extended workweek compensation?

A. Yes. In addition to the records required to be maintained under the provisions of General Salary Stabilization Regulation 1, as amended, the employer is required to maintain records indicating (a) the number of additional hours of work scheduled for the regularly extended workweek period, and (b) the number of hours actually worked during such period by each employee.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Issued by the Office of Salary Stabilization, May 16, 1952.

JOSEPH D. COOPER,
Executive Director.

[F. R. Doc. 52-5765; Filed, May 21, 1952;
11:09 a. m.]

[Interpretation 7]

INT. 7—STOCK OPTION AND STOCK PURCHASE PLANS

This interpretation is designed to answer questions with regard to certain provisions governing the granting of stock options under salary stabilization and concerning the documents to be filed in connection therewith with the Office of Salary Stabilization.

1. Q. An employer desires to grant a stock option in accordance with the provisions of the regulation to an employee at 95 percent of fair market value at the time the option is granted, such option to be exercisable:

(a) During employment or within three months after termination of employment by reason other than death, retirement or permanent and total disability; or

(b) If the employee dies, by his legal representative (executor or administrator) at any time within five years from the date of grant of the option; or

(c) If the employee becomes permanently and totally disabled or retires, at any time within five years from the date of the disability or retirement.

May such an option be granted?

A. Yes. Such provisions are authorized under section 3 (b) of the revised regulation.

2. Q. May an employer grant a stock option to an employee exercisable upon the same conditions as those stated in Question 1, if the option price was 85 percent of the fair market value of the stock at the time when the option was granted?

A. Yes, provided that the option is in all other respects qualified under section 3 and that the employer can charge the difference between 85 percent and 95 percent of the fair market value of the stock at the time the option is granted in the manner prescribed by section 4 of the revised regulation.

3. Q. An employer desiring to grant an 85 percent stock option has available amounts for general salary increases to the employees, to whom the option is to be granted, under section 8 of General Salary Stabilization Regulation 1, as amended, under General Salary Order 6, as amended, for merit and length-of-service increases and under General Salary Stabilization Regulation 3, as amended. Must the employer observe the restrictions with regard to the distribution of the amounts available for increases contained in section 8 of General Salary Stabilization Regulation 1, as amended, or General Salary Order 6, as amended?

A. Yes.

With regard to amounts available for increases under section 8 of General Salary Stabilization Regulation 1, as amended, the employee to whom the stock option is to be granted must be within the group for which the section 8 increases are computed. However, there are no limitations on the manner in which the increase may be distributed among the members of the group.

With regard to amounts available under General Salary Order 6, as amended, section 4 of that order provides for the manner in which increases under that order may be distributed and such limitations must be observed in charging the difference between the option price and 95 percent of the fair market value of the stock at the time the option is granted to the employees to whom the stock option is granted.

With regard to amounts available under General Salary Stabilization Regulation 3, as amended, sections 2 and 3 of the regulation provide not only for an over-all limitation on the amount of merit and length-of-service increases, but also for determination of the maximum merit or length-of-service increase which an individual employee may receive in any calendar year. Both over-all and individual limitations on such increases must be observed in charging the difference between the option price and 95 percent of the fair market value of the stock at the time the option is granted to the employees to whom the stock option is granted. Accordingly, merit and length-of-service increases which may be granted to one employee may not be used to grant stock options to another employee.

4. Q. If the employer utilizes amounts available for increases in the manner prescribed in section 4, may he again use such amounts at a future time for increases in salaries and other compensation?

A. Yes, in the manner provided for in the regulations or orders under which such increases are authorized.

5. Q. May the employer under General Salary Stabilization Regulation 4, Revised, charge the difference between the option price and 95 percent of the fair market value of the stock at the time the option is granted against his bonus fund which he may distribute under General Salary Stabilization Regulation 2?

A. No. Distributions from the bonus fund do not constitute a "chargeable increase in compensation" under section 4

of General Salary Stabilization Regulation 4, Revised. However, a bonus under General Salary Stabilization Regulation 2 may be distributed in property as well as in money and, therefore, may be distributed in the form of stock options. In order to determine whether the total value of such options distributed as a bonus exceeds the base period bonus fund of an employer, the options must be valued in accordance with the provisions of paragraph 2.05 of Interpretation 3, as amended.

6. Q. A corporation has granted a right to purchase stock to its employees in installments payable regularly through monthly payroll deductions over a three-year period. Under the stock purchase plan, the stock is pledged with the corporation and no dividends are payable to the employee until the stock is fully paid for. The plan permits the employee to pay for the stock at any time in full and acquire full title thereto upon such payment. After one year, the employer desires to advance to a participating employee funds sufficient to pay for the stock in full, receiving his note for the amount advanced payable two years from date, without interest, and providing for regular installment payments equivalent in amount to the payroll deduction. The stock will be transferred to the employee and he will be treated as a stockholder and will receive dividends but the dividends are by an assignment made payable to the employer in reduction of the amount due on the note at the time when they are paid. Would such an arrangement be permissible?

A. Yes. The regulation permits the employee to pledge his stock which is acquired under a stock purchase plan for the payment of the purchase price of the stock and the arrangement outlined above would come within its purview. However, this privilege may not be used to circumvent the provisions of the regulation which require that stock purchases on the installment plan be paid for in fixed installments and over a period of time not to exceed 10 years. Whenever, therefore, the employee purchasing stock of a corporation under the employee stock-purchase plan borrows money from the employer in order to pay for the stock, the facts must be carefully examined to determine whether the arrangement involves evasion of the provisions of the regulation. Since such borrowing arrangements in some circumstances may constitute a violation of the regulation, a determination of its legality under the regulation can only be made upon the disclosure of the facts in each case and no general rule can be established with regard to the permissibility of such arrangements.

7. Q. Does the regulation prescribe a form for the warranty required to be filed with the Office of Salary Stabilization?

A. No, however, the following form of warranty will be considered proper:

The company warrants to the Office of Salary Stabilization for the benefit of the United States Government or any appropriate department or agency thereof, that it will not claim as a basis either to increase price ceilings or to resist otherwise justifi-

able reductions in price ceilings any amount (exclusive of the cost of putting the stock option or plan or agreement into effect or of administering the stock option, plan or agreement) in respect of the transfer of the stock pursuant to the exercise of the option.

Where the arrangement involves the right to purchase stock under a stock purchase plan or agreement rather than a stock option, the above text should be appropriately modified.

8. Q. An employer filed a warranty under General Salary Stabilization Regulation 4. May he now substitute the more limited form of warranty authorized under General Salary Stabilization Regulation 4, Revised?

A. Yes. However, the warranty as filed remains binding upon the employer until the warranty in the new form has been filed.

9. Q. May sales employees, whose compensation is governed by General Salary Stabilization Regulation 5, be granted stock options under General Salary Stabilization Regulation 4, Revised?

A. Yes, to the extent that stock options can be issued to them in conformance with the regulation. If a stock option is issued to them under section 3 at an option price of 95 percent or more of the fair market value of the stock at the time the option is granted, no difficulty exists. To the extent that the issuance of a stock option under section 4 requires the availability of a "chargeable salary increase" for the individual sales employee to cover the spread between the option price and 95 percent of the fair market value of the stock at the time the option is granted, the stock option could not be issued without prior approval of the Office of Salary Stabilization to a sales employee compensated solely on a commission basis, since increases of the type considered "chargeable" under section 4 of the regulation cannot be granted to that class of sales employees.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Issued by the Office of Salary Stabilization on May 16, 1952.

JOSEPH D. COOPER,
Executive Director.

[F. R. Doc. 52-5766; Filed, May 21, 1952; 11:09 a. m.]

[Interpretation 8]

INT. 8.—EFFECTS OF CHANGES IN THE LEGAL STRUCTURE OF BUSINESS ENTERPRISES

1. Q. Do any of the following changes in the legal structure of a business enterprise in themselves justify changes in the salaries and other compensation of employees under the jurisdiction of the Salary Stabilization Board:

(a) A State bank becomes a national bank.

(b) A corporation is reorganized under section 77 (B) of the Bankruptcy Act.

(c) There is a change of partners in a general partnership, creating a new partnership under applicable State law.

(d) A general partnership is converted into a limited partnership.

(e) A sole proprietorship is converted into a partnership.

A. No. None of these changes in the legal structure of a business enterprise in itself affects in any way the operation of the existing business enterprise or the salaries and other compensation paid to employees of the business enterprise.

Changes in salary and other compensation of employees are justified only to the extent that new or changed positions are established as the result of such changes in the legal structure of the business enterprise. If such positions are established, salaries for them must be determined in accordance with section 8 of General Salary Stabilization Regulation 3, as amended.

The partners in the general or limited partnership, created as a result of the change in the legal structure of the predecessor general partnership or sole proprietorship noted in paragraphs (c), (d) and (e), are co-owners of the business and not employees. Therefore, they do not receive salaries or other compensation subject to regulation by the Salary Stabilization Board.

2. Q. An individual investor acquires the majority of the stock of a corporation. Does this change in the ownership of the majority of the stock in itself justify changes in the salaries and other compensation of the employees of the corporation?

A. No. The change in ownership of a corporation does not in itself justify changes in the salaries and other compensation of the employees of the corporation.

3. Q. A, B and C are conducting business as general partners. They decide to incorporate their business, but all the employees of the former partnership will continue in their present positions. There will be no change in scope and conduct of the enterprise. To what extent would incorporation of the partnership justify changes in the salaries and other compensation of the employees of the former partnership?

A. To the extent that there is no change in their duties and responsibilities by reason of the incorporation of the partnership, the salaries and other compensation of the employees of the former partnership may not be changed as a result thereof.

However, to the extent that their duties and responsibilities are substantially changed as a result of the incorporation of the former partnership, changes in their salaries may be made in accordance with section 8 of General Salary Stabilization Regulation 3, as amended.

With regard to the salaries and other compensation to be paid to the former partners who become employees of the successor corporation, see question 4.

4. Q. Assume the same facts as in question 3. Partner A will become President of the new corporation, partner B will become Vice President and partner C Treasurer and Secretary. How are their salaries and other compensation determined?

A. The salaries and other compensation of these former partners, who changed their status from co-owners to officers of a corporation, are determined

in accordance with the criteria, and paid in accordance with the procedure, contained in section 11 of General Salary Stabilization Regulation 1, as amended. Although the new corporation is not a "new plant" within the scope of this section, these new corporate officers (formerly partners) are in the same category as employees of a "new plant" for the purposes of initially determining their salaries and other compensation. Therefore, the provisions relating to employees of a "new plant" are to be applied in the determination and payment of their salaries and other compensation.

5. Q. May the salaries and other compensation of the new corporate officers (formerly partners) be measured by their previous partnership income or actual advances against such income?

A. No. Partners do not receive any salaries or other compensation as such for their services, but share the profits of the partnership in accordance with the provisions of the partnership agreement.

6. Q. May the salary and other compensation of a corporate officer, who heretofore was a sole proprietor of a business, be measured by the income derived by him from the business as its sole proprietor?

A. No. A sole proprietor does not receive a salary or other compensation for his services, but receives all the profits of the business enterprise owned by him.

7. Q. The stockholders of a business corporation, all of whom are officers of the corporation, decide to dissolve the corporation and to transfer its assets and business to a partnership of which they become the members. May the salaries previously paid to these employees be redistributed among other employees of the former corporation who continue in the employ of the partnership?

A. No. The offices occupied by the former stockholders are abolished by the creation of the partnership, and the amount of their former salaries may not be used to increase salaries or other compensation of other employees of the corporation who continue in the employ of the partnership.

8. Q. Is an arrangement by these partners (formerly stockholders) as to the distribution of partnership profits among themselves or as to their drawing accounts, subject to regulation by the Salary Stabilization Board?

A. No. Profits are not "salaries" or "other compensation" within the purview of the Defense Production Act of 1950, as amended. Therefore, neither the distribution of profits among the members of a partnership nor any arrangement relating to such distribution is subject to regulation by the Salary Stabilization Board.

9. Q. Does the conversion of a corporation into a partnership, or sole proprietorship, justify changes in the salaries or other compensation of employees who continue in the employ of the successor partnership, or sole proprietorship?

A. To the extent that there is no change in their duties and responsibilities by reason of the conversion of the corporation into a partnership or sole proprietorship, the salaries and other

compensation of the employees of the former corporation may not be changed as a result thereof.

However, to the extent that their duties and responsibilities are substantially changed as a result of such conversion, their salaries and other compensation will be determined in accordance with section 8 of General Salary Stabilization Regulation 3, as amended.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Issued by the Office of Salary Stabilization on May 16, 1952.

JOSEPH D. COOPER,
Executive Director.

[F. R. Doc. 52-5767; Filed, May 21, 1952; 11:09 a. m.]

Chapter XIV—General Services Administration

[Amdt. 2]

MANGANESE REGULATION; PURCHASE PROGRAM FOR DOMESTIC MANGANESE ORE AT BUTTE AND PHILIPSBURG, MONTANA

PRICE SCHEDULE FOR ORE

Pursuant to the authority vested in me by the Defense Materials Procurement Administrator in Delegation of Authority, dated September 14, 1951 (16 F. R. 9446), the above-captioned regulation, as amended (16 F. R. 7155, 11542), is further amended by adding the following to section 6 thereof:

Payment for manganese ore delivered f. o. b. depot which contains from 31 percent to 40 percent manganese and which is amenable to the sintering process at Butte, Montana, shall be made on the basis of the following table:

Percent of manganese in ore	To be paid for 1 long dry ton delivered f. o. b. depot, Phillipsburg	To be paid for 1 long dry ton delivered f. o. b. depot, Butte
31.....	\$50.28	\$51.33
32.....	52.17	53.26
33.....	54.06	55.18
34.....	55.95	57.11
35.....	57.84	59.03
36.....	59.72	60.94
37.....	61.61	62.87
38.....	63.50	64.79
39.....	65.39	66.72
40.....	67.28	68.64

The above prices are subject to the same premiums and penalties as are set forth above in this section.

This amendment is effective as of January 25, 1952, for manganese ore delivered f. o. b. depot, Phillipsburg, Montana, and is effective as of February 29, 1952, for manganese ore delivered f. o. b. depot, Butte, Montana.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong., 50 U. S. C. App. Sup. 2154. Interprets or applies sec. 303, 64 Stat. 801, Pub. Law 96, 82d Cong., 50 U. S. C. App. Sup. 2093; secs.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
608) Calhoun County...	Texas...	Calhoun County.....	Jan. 1, 1952...	May 22, 1952

[F. R. Doc. 52-5647; Filed, May 21, 1952; 8:51 a. m.]

201, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789, 3 CFR, 1951 Supp.)

Dated: May 19, 1952.

JESS LARSON,
Administrator.

[F. R. Doc. 52-5746; Filed, May 20, 1952; 4:20 p. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Amdt. 11 to Appendix]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATIONS GOVERNING PROCESS AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP.—CRITICAL DEFENSE HOUSING AREAS

This Amendment 11 amends the Appendix to CR 3 initially published in the FEDERAL REGISTER November 20, 1951 (16 F. R. 11731), which Appendix was revised and published in the FEDERAL REGISTER January 30, 1952 (17 F. R. 893) and last amended by Amendment 10 published May 8, 1952 (17 F. R. 4239), by adding the following additional critical defense housing areas to the areas already designated under CR 3:

Area, Including Geographical Description and Date Designated

172. Sioux City, Iowa, Area. (Sioux City and the Townships of Woodbury and Liberty, all in Woodbury County), May 22, 1952.

173. Lea County, New Mexico, Area. (Lea County), May 22, 1952.

RAYMOND M. FOLEY,
Housing and Home Finance
Administrator.

[F. R. Doc. 52-5642; Filed, May 21, 1952; 8:49 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 4, Amdt. 1 to Schedule A]

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS TEXAS

This amendment is issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective May 22, 1952, Rent Regulation 4 is amended so that the item(s) of Schedule A read(s) as set forth below. (Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 19th day of May 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

MONTEREY BAY, OFF FORT ORD, CALIF.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) and Chapter XIX of the Army Appropriation Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), paragraph (a) of § 204.205 is amended modifying an existing danger zone in Monterey Bay, adjoining Fort Ord Military Reservation to provide additional water and shore area for a small arms range impact area in the waters of Monterey Bay, as follows:

§ 204.205 *Monterey Bay, Calif.*—(a) *Firing range, Fort Ord, Calif.*—(1) *The danger zone.* (i) A rectangular area in Monterey Bay, the southerly limit of which is an extension seaward of the southerly line of the Fort Ord Military Reservation boundary and bears 307° true, 8,000 yards from a point on the shore at latitude 36°37'47", longitude 121°50'28", and the northerly limit of which is a line bearing 307° true, 8,000 yards, from a point on the shore at latitude 36°41'57", longitude 121°48'30", opposite Marina, Monterey County, California. The seaward boundary is a straight line joining the outer ends of the southerly and the northerly boundaries at the 8,000 yard range and is approximately parallel to the shore.

(ii) The danger zone is divided into a short range area, extending seaward from the shore a distance of 5,000 yards measured along the southerly and northerly boundaries, and a long range area embracing the entire danger zone.

(2) *The regulations.* (i) The 5,000 yard short range area is prohibited to all vessels and craft, except those authorized by the enforcing agency, for seven days per week between dawn and dusk of each day.

(ii) The area between the 5,000 yard short range and the 8,000 yard seaward boundary of the danger zone may be used at all times for navigation and fishing, except when advance notice of intention to use this area has been given by the enforcing agency by one or more of the following means.

(a) Notice published in Monterey County and Santa Cruz County daily newspapers, at least two days in advance of the date of said use.

(b) Display of red flags at Indian Head Beach and near the Point Pinos Lighthouse.

(c) Radio Broadcast.

(d) Notice to individual craft by a visit of a United States vessel.

(e) Telephone advice to such fishermen's organizations as may request, in writing, that such advice be given.

(iii) The regulations in this paragraph will be enforced by the Commanding General, Fort Ord, California.

[Regs., May 5, 1952, 800.2121-ENGWO] (40 Stat. 266, 892; 33 U. S. C. 1, 3)

[SEAL]

WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-5622; Filed, May 21, 1952;
8:45 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

MOUNT MCKINLEY NATIONAL PARK, ALASKA

1. Paragraph (b) entitled *Registration form*, of § 20.44, entitled *Mount McKinley National Park, Alaska*, is redesignated subparagraph (1) of paragraph (a).

2. Section 20.44, entitled *Mount McKinley National Park, Alaska*, is amended by adding a new paragraph numbered (b) and reading as follows:

(b) *Fishing, limit of catch and in possession.* The limit of catch per person per day shall be 10 fish but not to exceed 10 pounds and one fish, except that the limit of catch of lake trout (mackinaw) per person per day shall be two fish, including those hooked and released. Possession of more than one day's limit of catch by any one person at any one time is prohibited.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 15th day of May 1952.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-5625; Filed, May 21, 1952;
8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 826]

ALASKA

RESERVING PUBLIC LANDS FOR USE OF PUBLIC HEALTH SERVICE, FEDERAL SECURITY AGENCY

By virtue of the authority vested in the President by section 1 of the act of March 12, 1914, 38 Stat. 305, 307 (48 U. S. C. 303), and otherwise, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

SECTION 1. Subject to valid existing rights, including the rights of the public, if any, to the alley hereinafter mentioned, the following-described public lands are hereby reserved for the use of the Public Health Service, Federal Security Agency, in connection with the Arctic Health Research Center:

EAST ADDITION TO ANCHORAGE TOWN SITE

LOTS 1 to 8, inclusive, and the 20 foot alley in Block 31A as shown on the supplemental plat of survey of the East Addition to Anchorage Town Site accepted August 30, 1941.

SEC. 2. Executive Order No. 2242 of August 31, 1915, reserving the above-described lands, together with other lands, for town-site purposes, and other purposes in connection with the construction and operation of railroad lines, is hereby modified to the extent necessary to permit the reservation made by section 1 of this order to become effective.

SEC. 3. It is intended that the lands described in section 1 hereof shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

OSCAR L. CHAPMAN,
Secretary of the Interior.

MAY 15, 1952.

[F. R. Doc. 52-5623; Filed, May 21, 1952;
8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 728]

WHEAT

NOTICE OF DETERMINATIONS TO BE MADE WITH RESPECT TO MARKETING QUOTAS FOR 1953 CROP AND OF NATIONAL ACREAGE ALLOTMENT FOR 1953 CROP

Pursuant to the authority contained in the applicable provisions of the Agri-

No. 101—4

cultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1332, 1333, 1335), the Secretary is preparing to determine whether marketing quotas are required to be proclaimed for the 1953 crop of wheat, and to determine and proclaim the national acreage allotment for the 1953 crop of wheat.

Section 333 of said act provides that the national acreage allotment shall be that acreage which the Secretary determines will, on the basis of the national average yield for wheat, produce an amount thereof adequate, together with

the estimated carry-over at the beginning of the marketing year for such crop and imports, to make available a supply for such marketing year equal to a normal year's domestic consumption and exports plus 30 per centum thereof; but such allotment for any year shall not be less than 55 million acres. Section 332 of said act requires that the national acreage allotment for the 1953 crop of wheat be proclaimed not later than July 15, 1952.

Section 335 of said act provides that whenever in the calendar year 1952 the

PROPOSED RULE MAKING

Secretary determines (1) that the total supply of wheat for the 1952-53 marketing year will exceed the normal supply for such marketing year by more than 20 per centum, or (2) that the total supply of wheat for the 1951-52 marketing year is not less than the normal supply for such marketing year and that the average farm price for wheat for three consecutive months of such marketing year does not exceed 66 per centum of parity, the Secretary shall, not later than July 1, 1952, proclaim such fact and a national marketing quota shall be in effect on the marketing of wheat during the 1953-54 marketing year.

As defined in section 301 of the act, for the purpose of these determinations, "total supply" for any marketing year is the carry-over of wheat for such marketing year, plus the estimated production of wheat in the United States during the calendar year in which such marketing year begins and the estimated imports of wheat into the United States during such marketing year; "normal supply" for any marketing year is the estimated domestic consumption of wheat for the marketing year ending immediately prior to the marketing year for which normal supply is being determined, plus the estimated exports of wheat for the marketing year for which normal supply is being determined, plus 15 per centum of such consumption and exports; "normal year's domestic consumption" of wheat is the yearly average quantity of wheat that was consumed in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption; "normal year's exports" of wheat is the yearly average quantity of wheat produced in the United States that was exported from the United States during the ten marketing years immediately preceding the marketing years in which such exports are determined, adjusted for current trends in such exports; "marketing year" for wheat is the period July 1-June 30; and "national average yield" of wheat is the national average yield of wheat for the ten calendar years preceding the year in which such national average yield is used, adjusted for abnormal weather conditions and for trends in yields.

In preparing to make such determinations and proclamations, the Secretary has under consideration sections 304 and 371 (b) of the act which authorizes increases in or terminations of marketing quotas and acreage allotments for any of the several commodities to which farm marketing quotas are applicable in case the Secretary finds such action necessary to protect consumers, to meet a national emergency, or to provide for a material increase in exports.

Prior to making any of the foregoing determinations with respect to the 1953 crop of wheat, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Grain Branch, Production and Marketing Administration, United States Department

of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than twenty days after the date of publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 19th day of May 1952.

[SEAL]

G. F. GEISSLER,
Administrator.

[F. R. Doc. 52-5680; Filed, May 21, 1952;
8:54 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 670]

PUERTO RICO; MINIMUM WAGE RATES IN
CHEMICAL, PETROLEUM, AND RELATED
PRODUCTS INDUSTRIES

NOTICE OF PROPOSED DECISION

On December 12, 1951, pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, the Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 417, appointed Special Industry Committee No. 11 for Puerto Rico (hereinafter called the "Committee") and directed the Committee to investigate conditions in a number of industries in Puerto Rico specified and defined in the order, including the chemical, petroleum, and related products industries in Puerto Rico (hereinafter called "the industry"), and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the industry, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the industry, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico.

After investigating economic and competitive conditions in the industry, the Committee filed with the Administrator a report containing (a) its recommendation that the industry be divided into separable divisions for the purpose of fixing minimum wage rates, (b) the titles and definitions recommended by the Committee for such separable divisions of the industry; and (c) its recommendations for minimum wage rates to be paid employees engaged in commerce or in the production of goods for commerce in such divisions of the industry.

Pursuant to notice published in the FEDERAL REGISTER on March 15, 1952 (17 F. R. 2285-2288) and circulated to all interested persons, a public hearing upon the Committee's recommendations was held before Hearing Examiner E. West Parkinson, as presiding officer, in Washington, D. C., on May 1, 1952, at which all interested parties were given an opportunity to be heard. No one appeared at this public hearing in opposition to the Committee's recommendations. After the hearing was closed the record

of the hearing was certified to the Administrator by the presiding officer.

Upon reviewing all the evidence adduced in this proceeding, and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendations of the Committee for a minimum wage rate of 75 cents an hour in the fertilizer division, 75 cents an hour in the hormones, antibiotics, and related products division, and 51 cents per hour in the general division, as defined, were made in accordance with law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Special Industry Committee No. 11 for Puerto Rico for Minimum Wage Rates in the Chemical, Petroleum, and Related Products Industries in Puerto Rico," a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practice governing this proceeding, that I propose to approve the recommendations of the Committee for this industry and amend this part to read as set forth below to carry such recommendations into effect.

Within 15 days from publication of this notice in the FEDERAL REGISTER, interested parties may submit written exceptions to the proposed actions above described. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Sec.

670.2 Wage rates.

670.3 Notices of order.

670.4 Definitions of the chemical, petroleum, and related products industries in Puerto Rico and its divisions.

AUTHORITY: §§ 670.2 to 670.4 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 670.2 *Wage rates.* (a) Wages at a rate of not less than 75 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the fertilizer division of the chemical, petroleum, and related products industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate of not less than 75 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the hormones, antibiotics, and related products division of the chemical, petroleum, and related products industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(c) Wages at a rate of not less than 51 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the general division of the chemical, petroleum, and related products industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 670.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the chemical, petroleum, and related products industries in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed, from time to time, by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 670.4 *Definitions of the chemical, petroleum, and related products industries in Puerto Rico and its divisions.* (a) The chemical, petroleum, and related products industries in Puerto Rico to which this part shall apply, is hereby defined as follows:

(1) The manufacture or packaging of chemicals, drugs, medicines (other than

food), toilet preparations, cosmetics and related products; the mining (or other extraction) or processing of any minerals used in the production of the foregoing; and the mining or other extraction of petroleum, coal or natural gases and the manufacture of products therefrom.

(2) It includes, but without limitation, heavy, industrial and fine chemicals; basic plastic materials; salt; paints, varnishes, colors, dyes, and inks; vegetable and animal oils (except the refining into edible oils); drugs, medicines and toilet preparations; insecticides and fungicides; soap and glycerin; rayon and other synthetic filaments; wood distillation and naval stores; fertilizers; cleaning and polishing preparations; glue and gelatin; grease and tallow; fireworks and pyrotechnics; candles; gasoline, fuel and lubricating oils, and other petroleum products; coke-oven products; and fuel briquettes of any materials.

Provided, however, That the definition shall not include any product or activity included in the alcoholic beverage and industrial alcohol industry (as defined in the wage order for that industry in Puerto Rico, Part 706 of this chapter), or any activity performed by a company in its capacity as a public utility distributing gas or water.

(b) The separable divisions of the industry, as defined in paragraph (a) of this section, to which this part and its several provisions shall apply, are hereby defined as follows:

(1) *Fertilizer division.* This division shall include the manufacture or mixing of commercial fertilizers, but shall not include the manufacture of fertilizer components or materials.

(2) *Hormones, antibiotics, and related products division.* This division shall include the manufacture of hormones, antibiotics, and related products.

(3) *General division.* This division shall include all products and activities covered by the definition of the chemical, petroleum, and related products industries contained in paragraph (a) of this section, except those included in the fertilizer division or the hormones, antibiotics, and related products division, as defined in this section.

Signed at Washington, D. C., this 19th day of May 1952.

WM. R. McCOMB,
Administrator,
Wage and Hour Division.

[P. R. Doc. 52-5649; Filed, May 21, 1952; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 144,
WYOMING NO. 18, REDUCED; CORRECTION

MAY 15, 1952.

Wyoming Stock Driveway Withdrawal No. 144, Wyoming No. 18, Reduced (17 F. R. 3420) is hereby amended to correct the dates of the withdrawal orders which should read as follows:

Departmental orders dated April 20, 1921, June 6, 1922, January 20, 1927, and August 7, 1929.

MAX CAPLAN,
Acting Regional Administrator.

[P. R. Doc. 52-5646; Filed, May 21, 1952; 8:50 a. m.]

OREGON

NOTICE OF FILING OF PLAT OF SURVEY

MAY 14, 1952.

Notice is hereby given that the plat of extension survey in T. 1 S., R. 8 E., Willamette Meridian, Oregon, accepted February 18, 1952, will be officially filed in the Land Office, Portland, Oregon, effective at 10:00 a. m. on the 35th day after the date of this notice.

Power Site Classification No. 311 and Power Project No. 847 embrace certain lands in this township, among other lands, described by legal subdivisions, surveyed and unsurveyed, and also by reference to a water course. In terms

of the subsisting plat the description of these withdrawals as to the above township is amended as follows:

Power Site Classification No. 311

By order of November 18, 1938, certain lands in sections 12, 23, and 24 and all unsurveyed lands within $\frac{1}{4}$ mile of West Fork Hood River, in so far as title thereto remains in the United States, and subject to valid existing rights, were included in this withdrawal. The above plat shows relocations of previously surveyed lands in section 12 as shown by plat approved July 30, 1885. In terms of the earlier plat as to sections 23 and 24 and the later plat as to sections 12 and 13, the withdrawal is now described as follows:

WILLAMETTE MERIDIAN

T. 1 S., R. 8 E.,
Sec. 12, Lots 1, 2, 7, 8, 9, 10, 15, 16;
Sec. 13, Lot 4;
Sec. 23, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$ NW $\frac{1}{4}$.

Power Project No. 847

By letter from the Federal Power Commission dated November 23, 1928, certain lands of the United States in sections 5, 6, 8, 9, 10, 15, and 16, surveyed and unsurveyed, were included in this withdrawal upon application filed November 25, 1927. In terms of the subsisting plat of survey, the lands withdrawn are now described as follows:

WILLAMETTE MERIDIAN

T. 1 S., R. 8 E.,
Sec. 5, Lots 4, 5, 6, 9, 10, 11, 12, 13;
Sec. 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (unsurveyed);

Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 3;
Sec. 10, Lots 1 and 2;
Sec. 15, Lots 1, 2, 3, 4, 5;
Sec. 16, Lot 2.

The lands described above are reserved for national forest purposes and will become subject to the public land laws relating to national forest lands at 10:00 a. m. on the 35th day from the date of this notice.

All inquiries relating to these lands should be addressed to the Manager, Land Office, Portland 18, Oregon.

FRANCES A. PATTON,
Manager.

[P. R. Doc. 52-5650; Filed, May 21, 1952; 8:51 a. m.]

ARIZONA

RESTORATION ORDER UNDER FEDERAL POWER ACT

MAY 13, 1952.

Pursuant to determination of the Federal Power Commission (DA-99-Arizona), and in accordance with Order No. 427, section 2.22 (a) (4) of the Director, Bureau of Land Management approved August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereinafter described, so far as they are withdrawn or reserved for power purposes, are hereby restored to disposition under any applicable public-

land law, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended:

GILA AND SALT RIVER MERIDIAN

- T. 15 N., R. 4 E.,
Sec. 2, lot 1;
Sec. 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 16 N., R. 4 E.,
Sec. 14, lots 6, 7, 10, and the NE $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of lot 11;
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 36, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 17 N., R. 5 E.,
Sec. 13, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 25, lot 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 17 N., R. 6 E.,
Sec. 4, lots 2, 3, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 7, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 18, lot 3, W $\frac{1}{2}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ of lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, E $\frac{1}{2}$ and SW $\frac{1}{4}$ of lot 2, the E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of lot 3, the E $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of lot 4, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 18 N., R. 6 E.,
Sec. 27, lot 3;
Sec. 33, N $\frac{1}{2}$ and SW $\frac{1}{4}$ of lot 7, the W $\frac{1}{2}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ of lot 8, lot 9;
Sec. 34, lots 1, 9, 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The lands described aggregate approximately 3,750 acres.

The lands lie along the water course of Oak Creek, a tributary of Verde River, and within the Coconino National Forest and are withdrawn in Water Power Designation No. 5 approved February 9, 1917. Portions of the subject lands are included in Power Site Reserve No. 606 created by Executive Order of April 4, 1917, while other portions are withdrawn pursuant to the filing of applications with the Federal Power Commission for Projects Nos. 1363 and 1402, each of which involve transmission line locations only to which the general determination of April 17, 1922, is applicable.

The lands in the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 18, T. 17 N., R. 6 E., and the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 25, T. 17 N., R. 5 E. are being restored in furtherance of a federal land program for exchange purposes.

The lands described shall be subject to application by the State of Arizona for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 91st day after the date of publication.

E. R. SMITH,

Regional Administrator.

[F. R. Doc. 52-5651; Filed, May 21, 1952; 8:51 a. m.]

ARIZONA

AIR NAVIGATION SITE WITHDRAWAL NO. 56, REDUCED

MAY 15, 1952.

In accordance with the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 728 (49 U. S. C. 214), and pursuant to section 2.22 (a) (2) of Delegation Order No. 427 of August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Departmental Order of March 24, 1931, withdrawing certain lands in Arizona for use by the Department of Commerce in the maintenance of air navigation facilities, is hereby revoked so far as it affects the following-described land:

GILA AND SALT RIVER MERIDIAN

T. 19 S., R. 22 E., sec. 19, lot 3 or NW $\frac{1}{4}$ SW $\frac{1}{4}$, containing 41.18 acres.

The land consists of a small limestone knoll located approximately five miles northwest of Tombstone, Arizona, and is primarily suitable for grazing. This land will not be subject to occupancy or disposition under any nonmineral public land law until it has been classified. It is unlikely that the land will be classified for homestead, desert land, or small tract uses.

This order shall become effective immediately as to administration of grazing on this land by the Bureau of Land Management, but shall not otherwise become effective to change the status of such land until 10:00 a. m. on the 35th day after the date hereof, at that time the said land shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended.

Information showing the period during which, and the conditions under which veterans and others may file applications for these lands may be obtained on request from the U. S. Land and Survey Office, 100 U. S. Courthouse, Phoenix, Arizona.

E. R. SMITH,

Regional Administrator.

[F. R. Doc. 52-5652; Filed, May 21, 1952; 8:52 a. m.]

Office of the Secretary

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER¹ RESERVING PUBLIC LANDS FOR USE OF PUBLIC HEALTH SERVICE, FEDERAL SECURITY AGENCY

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

MAY 15, 1952.

[F. R. Doc. 52-5624; Filed, May 21, 1952; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DESIGNATION OF DISASTER AREAS HAVING NEED FOR AGRICULTURAL CREDIT

Pursuant to the authority contained in Public Law 38, 81st Congress, approved April 6, 1949, the designation of areas in Washington dated March 30, 1950 (15 F. R. 2498) is amended, and the following designations of disaster areas having a need for agricultural credit were made.

MINNESOTA

The following counties were designated, on April 9, 1952, as disaster areas due to adverse weather conditions. After December 31, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Big Stone.	Lyon.
Blue Earth.	McLeod.
Brown.	Martin.
Carver.	Meeker.
Chippewa.	Mower.
Cottonwood.	Murray.
Dakota.	Nicollet.
Dodge.	Nobles.
Faribault.	Olmsted.
Fillmore.	Pipestone.
Freeborn.	Redwood.
Goodhue.	Renville.
Grant.	Rice.
Houston.	Rock.
Jackson.	Scott.
Kandiyohi.	Sibley.
Lac qui Parle.	Steele.
Le Sueur.	Stevens.
Lincoln.	Swift.

¹ See F. R. Doc. 52-5623, Title 43, Chapter I, Appendix, FLO 826, *supra*.

Traverse.
Wabasha.
Waseca.
Watsonwan.

Winona.
Wright.
Yellow Medicine.

MONTANA

The following counties were designated, on April 9, 1952, as disaster areas due to flood conditions. After December 31, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Blaine.
Chouteau.
Hill.

Phillips.
Valley.

NEBRASKA

The following counties were designated, on April 18, 1952, as disaster areas due to flood conditions.

Boyd.
Burt.
Cedar.
Dakota.
Dixon.

Douglas.
Knox.
Thurston.
Washington.

NEVADA

The following counties were designated, on April 1, 1952, as disaster areas due to severe blizzards and extremely cold weather. After December 31, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Elko.
Eureka.
Humboldt.
Lander.

Lincoln.
Nye.
White Pine.

NEW JERSEY

Atlantic and Cumberland Counties in New Jersey were designated, on April 9, 1952, as disaster areas due to severe windstorm damage. After December 31, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

NORTH DAKOTA

The following counties were designated, on April 23, 1952, as disaster areas due to flood conditions.

Burlingame.
Cass.
Emmons.
Morton.

Richland.
Sargent.
Sioux.
Williams.

SOUTH DAKOTA

The following counties were designated, on April 9, 1952, as disaster areas due to adverse weather conditions. After December 31, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Armstrong.
Beadie.
Brown.
Buffalo.
Butte.
Campbell.
Clark.
Cody.
Day.
Deuel.
Edmunds.
Faulk.
Grant.
Haakon.
Hand.

Harding.
Hughes.
Hyde.
Jackson.
Jerauld.
Marshall.
McPherson.
Meade.
Perkins.
Potter.
Roberts.
Spink.
Stanley.
Sully.
Walworth.

The following counties were designated, on April 23, 1952, as disaster areas due to flood conditions.

Brookings.
Hamlin.
Kingsbury.
Lake.
Lincoln.

Miner.
Minnehaha.
Moody.
Turner.

TENNESSEE

Oblion County, Tennessee was designated, on April 23, 1952, as a disaster area due to tornado damage. After June 30, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

WASHINGTON

The designation of Chelan, Douglas, Grant and Okanogan Counties as disaster areas on March 30, 1950 (15 F. R. 2498) is amended to provide that after December 31, 1953 no disaster loans may be made except to borrowers who previously received such assistance.

Done at Washington, D. C., this 16th day of May 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-5638; Filed, May 21, 1952;
8:49 a. m.]

ECONOMIC STABILIZATION
AGENCY

Office of Price Stabilization

[Region I, Redlegation of Authority No. 40]

DIRECTORS OF DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO PROCESS REPORTS AND APPLICATIONS FOR CEILING PRICES IN CONFORMITY WITH THE COMMODITY CREDIT CORPORATION PRICE SUPPORT PROGRAM UNDER GOR 26

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, pursuant to Delegation of Authority No. 58, Revision 1 (17 F. R. 4192), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each Director of a District Office of the Office of Price Stabilization in Region I:

(a) To process reports filed pursuant to section 4 of GOR 26 and to approve or disapprove such reports including the ceiling prices stated therein or request further information pertaining thereto, and

(b) To process applications for ceiling prices submitted by applicants whose main places of business are located within his district pursuant to section 3 (b) (3) of GOR 26, and to approve or disapprove the proposed ceiling prices, established different ceiling prices, or request further information concerning the applications.

This redelegation of authority shall take effect as of May 8, 1952.

JOSEPH M. McDONOUGH,
Director of Regional Office No. I.

MAY 19, 1952.

[F. R. Doc. 52-5655; Filed, May 19, 1952;
4:48 p. m.]

[Region II, Redlegation of Authority No. 31,
Revision 1]

DIRECTORS OF DISTRICT OFFICES,
REGION II

REDELEGATION OF AUTHORITY TO PROCESS REPORTS AND APPLICATIONS FOR CEILING PRICES IN CONFORMITY WITH THE COMMODITY CREDIT CORPORATION PRICE SUPPORT PROGRAM UNDER GOR 26

By virtue of the authority vested in me as Director of Price Stabilization, No. II, pursuant to delegation of authority No. 58, Revision 1 (17 F. R. 4192), this Revision 1 to Redlegation of Authority No. 31 is hereby issued.

1. Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse, and Albany, New York; and the Newark and Trenton, New Jersey, Offices of Price Stabilization:

(a) To process reports filed pursuant to section 4 of GOR 26 and to approve or disapprove such reports including the ceiling prices stated therein or request further information pertaining thereto, and

(b) To process applications for ceiling prices submitted by applicants whose main places of business are located within his respective district pursuant to section 3 (b) (3) of GOR 26 and to approve or disapprove the proposed ceiling prices, establish different ceiling prices, or request further information concerning the applications.

This Revision 1 of Redlegation of Authority No. 31 shall take effect on May 20, 1952.

JAMES G. LYONS,
Director of Regional Office No. II.

MAY 19, 1952.

[F. R. Doc. 52-5656; Filed, May 19, 1952;
4:48 p. m.]

[Region II, Redlegation of Authority No. 37]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 6 OF CPR 31

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 66 (17 F. R. 4193), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse, and Albany, New York; and the Newark and Trenton, New Jersey, Offices of Price Stabilization to receive and examine reports filed under the provisions of section 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of section 6 of Ceiling Price Regulation 31.

This redelegation of authority shall take effect on May 20, 1952.

JAMES G. LYONS,
Director of Regional Office No. II.

MAY 19, 1952.

[F. R. Doc. 52-5657; Filed, May 19, 1952;
4:48 p. m.]

[Region V, Redelegation of Authority No. 32]

**DIRECTORS OF DISTRICT OFFICES,
REGION V**

**REDELEGATION OF AUTHORITY TO ACT UNDER
CPR 135—BAKERS, WHOLESALE AND RETAIL
DISTRIBUTORS OF FROZEN AND PERISHABLE
BAKERY ITEMS**

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, Region V, pursuant to Delegation of Authority 60 (17 F. R. 3220), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region V, as follows:

(a) To fix ceiling prices upon application under section 2.4 and section 3.3 of Ceiling Price Regulation 135.

(b) To adjust ceiling prices under section 2.12 of Ceiling Price Regulation 135.

(c) To request, under section 4.3, further information concerning any ceiling price reported pursuant to the provisions of Ceiling Price Regulation 135, or concerning any application for a ceiling price made pursuant to the provisions of Ceiling Price Regulation 135.

(d) To disapprove or reduce at any time, under section 4.3, ceiling prices determined, reported or proposed under Ceiling Price Regulation 135.

This redelegation of authority shall take effect as of May 12, 1952.

GEORGE D. PATTERSON, JR.,
Director of Regional Office V.

MAY 19, 1952.

[F. R. Doc. 52-5658; Filed, May 19, 1952;
4:48 p. m.]

[Region VI, Redelegation of Authority No. 14,
Revision 1]

**DIRECTORS OF DISTRICT OFFICES,
REGION VI**

**REDELEGATION OF AUTHORITY TO PROCESS
REPORTS OF PROPOSED PRICE-DETERMINING
METHODS UNDER SECTION 5, AS
AMENDED, AND TO ACT UNDER SECTION 17
(b) OF CPR 100**

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 37, Revision 1 (17 F. R. 3563), this Revision 1 to Redelegation of Authority No. 14 (16 F. R. 12745), is hereby issued.

1. Authority to act under section 5, as amended, of CPR 100. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan;

Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, District Offices of Price Stabilization, to approve, pursuant to section 5, as amended, of CPR 100, a price-determining method for sales of new complete farm equipment, or new farm equipment repair parts proposed by a seller under CPR 100, disapprove such a proposed price determining method, establish a different price-determining method, or request further information concerning such a price determining method.

2. Authority to act under section 17 (b) of CPR 100. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, District Offices of Price Stabilization to issue orders, pursuant to section 17 (b) of CPR 100, fixing ceiling prices for any person subject to this Regulation who fails to keep the records, file the reports and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

This Revision 1 to Redelegation of Authority No. 14, shall take effect as of May 14, 1952.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

MAY 19, 1952.

[F. R. Doc. 52-5659; Filed, May 19, 1952;
4:48 p. m.]

[Region VI, Redelegation of Authority No. 27,
Amdt. 1]

**DIRECTORS OF DISTRICT OFFICES,
REGION VI**

**REDELEGATION OF AUTHORITY TO TAKE
CERTAIN ACTIONS UNDER DR 1, REVISION 1**

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 11, Revision 1 (17 F. R. 2145) this Amendment 1 to Redelegation of Authority No. 27 (17 F. R. 3067), is hereby issued.

Redelegation of Authority 27 is amended by adding the word "grant" immediately after the word "To" and immediately before the word "deny" of section 1 (c), so as to read as follows:

(c) To grant, deny, request further information or take such other action as the National Office may direct with respect to applications made by Class 2 or Class 2A slaughterers under sections 9, 13, or 14 of Distribution Regulation 1, Revision 1.

This Amendment 1 to Redelegation of Authority No. 27 shall take effect as of May 14, 1952.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

MAY 19, 1952.

[F. R. Doc. 52-5660; Filed, May 19, 1952;
4:48 p. m.]

[Region VI, Redelegation of Authority No. 29, Revision 1]

**DIRECTORS OF DISTRICT OFFICES,
REGION VI**

**REDELEGATION OF AUTHORITY TO PROCESS
REPORTS AND APPLICATIONS FOR CEILING
PRICES IN CONFORMITY WITH THE COM-
MODITY CREDIT CORPORATION PRICE SUP-
PORT PROGRAM UNDER GOR 26**

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 58, Revision 1 (17 F. R. 4192), this Revision 1 of Redelegation of Authority No. 29 (17 F. R. 3067), is hereby issued.

1. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, District Offices of Price Stabilization:

(a) To process reports filed pursuant to section 4 of GOR 26 and to approve or disapprove such reports including the ceiling prices stated therein or request further information pertaining thereto, and

(b) To process applications for ceiling prices submitted by applicants whose main places of business are located within his district pursuant to section 3 (b) (3) of GOR 26, and to approve or disapprove the proposed ceiling prices, establish different ceiling prices, or request further information concerning the applications.

This Revision 1 of Redelegation of Authority No. 29 shall take effect as of May 15, 1952.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

MAY 19, 1952.

[F. R. Doc. 52-5661; Filed, May 19, 1952;
4:48 p. m.]

[Region VI, Redelegation of Authority
No. 33]

DIRECTORS OF DISTRICT OFFICES, REGION VI
**REDELEGATION OF AUTHORITY TO MAKE EX-
EMPT PURCHASES OF LIVE CATTLE UNDER
SECTION 6 OF CPR 23**

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 63 (17 F. R. 3471), this Redelegation of Authority No. 33 is hereby issued.

1. Authority to act under section 6 of CPR 23. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, District Offices of the Office of Price Stabilization to take appropriate action under section 6 of CPR 23. All actions taken by the Directors of the Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, District Offices of the Office of Price Stabilization, under sec-

tion 6 of CPR 23, previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of May 14, 1952.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

MAY 19, 1952.

[F. R. Doc. 52-5662; Filed, May 19, 1952;
4:49 p. m.]

[Region VI, Redelegation of Authority
No. 34]

DIRECTORS OF DISTRICT OFFICES,
REGION VI

REDELEGATION OF AUTHORITY TO ISSUE ORDERS ESTABLISHING PRICE FACTORS, EXCHANGE ALLOWANCES, PRICE DIFFERENTIALS, PRICE DETERMINING METHODS, UNDER CPR 139

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 64 (17 F. R. 3617), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky, and Toledo, Ohio, District Offices of Price Stabilization to issue orders establishing price factors, exchange allowances, and price differentials under section 27, exchange allowances under section 26 (c), price determining methods under section 34, and price factors and price differentials under section 46 of Ceiling Price Regulation 139.

This redelegation of authority shall take effect as of May 14, 1952.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

MAY 19, 1952.

[F. R. Doc. 52-5663; Filed, May 19, 1952;
4:49 p. m.]

[Region VI, Redelegation of Authority
No. 35]

DIRECTORS OF DISTRICT OFFICES,
REGION VI

REDELEGATION OF AUTHORITY TO ACT UNDER
SECTION 6 OF CPR 31

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 66 (17 F. R. 4193), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, District Offices of Price Stabilization to receive and examine reports filed under the provisions of section 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to

assure that such reports are correct in accordance with the provisions of section 6 of Ceiling Price Regulation 31.

This redelegation of authority shall take effect as of May 15, 1952.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

MAY 19, 1952.

[F. R. Doc. 52-5664; Filed, May 19, 1952;
4:49 p. m.]

[Region VII, Redelegation of Authority No.
17, Revision 1]

DIRECTORS OF DISTRICT OFFICES,
REGION VII

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED PRICE-DETERMINING METHODS UNDER SECTION 5, AS AMENDED, AND TO ACT UNDER SECTION 17 (b) OF CPR 100

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 37, Revision 1 (17 F. R. 3563), this redelegation of authority is hereby issued.

1. Authority to act under section 5, as amended, of CPR 100. Authority is hereby redelegated to the Directors of the Chicago, Indianapolis, Green Bay, Milwaukee, Peoria, and Springfield District Offices of Price Stabilization, to approve, pursuant to section 5, as amended, of CPR 100, a price-determining method for sales of new complete farm equipment, or new farm equipment repair parts proposed by a seller under CPR 100, disapprove such a proposed price-determining method, establish a different price-determining method, or request further information concerning such a price-determining method.

2. Authority to act under section 17 (b) of CPR 100. Authority is hereby redelegated to the Directors of the Chicago, Indianapolis, Green Bay, Milwaukee, Peoria and Springfield District Offices of Price Stabilization to issue orders, pursuant to section 17 (b) of CPR 100, fixing ceiling prices for any person subject to this regulation who fails to keep the records, file the reports and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

This Revision 1 to Redelegation of Authority No. 17 shall take effect on May 20, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

MAY 19, 1952.

[F. R. Doc. 52-5665; Filed, May 19, 1952;
4:49 p. m.]

[Region VII, Redelegation of Authority
No. 36]

DIRECTORS OF DISTRICT OFFICES,
REGION VII

REDELEGATION OF AUTHORITY TO ACT UNDER
SECTION 6 OF CPR 31

By virtue of the authority vested in me as Director of the Regional Office of Price

Stabilization, No. VII, pursuant to Delegation of Authority No. 66 (17 F. R. 4193), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Chicago, Indianapolis, Green Bay, Milwaukee, Peoria, and Springfield District Offices of Price Stabilization to receive and examine reports filed under the provisions of section 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of section 6 of Ceiling Price Regulation 31.

This redelegation of authority shall take effect on May 20, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

MAY 19, 1952.

[F. R. Doc. 52-5666; Filed, May 19, 1952;
4:49 p. m.]

[Region VIII, Redelegation of Authority No.
30, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION
VIII

REDELEGATION OF AUTHORITY TO PROCESS REPORTS AND APPLICATIONS FOR CEILING PRICES IN CONFORMITY WITH THE COMMODITY CREDIT CORPORATION PRICE SUPPORT PROGRAM UNDER GOR 26

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 58, Revision 1, dated May 5, 1952 (17 F. R. 4192), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII:

(a) To process reports filed pursuant to section 4 of GOR 26 and to approve or disapprove such reports including the ceiling prices stated therein or request further information pertaining thereto, and

(b) To process applications for ceiling prices submitted by applicants whose main places of business are located within his district pursuant to section 3 (b) (3) of GOR 26, and to approve or disapprove the proposed ceiling prices, establish different ceiling prices, or request further information concerning the applications.

This redelegation of authority shall take effect as of May 6, 1952.

JOSEPH ROBBIE, Jr.,
Regional Director, Region VIII.

MAY 19, 1952.

[F. R. Doc. 52-5667; Filed, May 19, 1952;
4:49 p. m.]

[Region VIII, Redelegation of Authority
No. 36]

DIRECTORS OF DISTRICT OFFICES,
REGION VIII

REDELEGATION OF AUTHORITY TO ACT UNDER
SECTION 6 OF CPR 31

By virtue of the authority vested in me as Director of the Regional Office of

NOTICES

Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 66, dated May 5, 1952 (17 F. R. 4193), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to receive and examine reports filed under the provisions of section 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of section 6 of Ceiling Price Regulation 31.

This redelegation of authority shall take effect as of May 10, 1952.

JOSEPH ROBBIE, JR.,
Regional Director, Region VIII.

MAY 19, 1952.

[F. R. Doc. 52-5668; Filed, May 19, 1952;
4:50 p. m.]

[Region X, Redelegation of Authority No. 33]

DIRECTORS OF DISTRICT OFFICES, REGION X
REDELEGATION OF AUTHORITY TO ACT UNDER
SECTION 6 OF CPR 31

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 66 (17 F. R. 4193), this Redelegation of Authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to receive and examine reports filed under the provisions of section 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of section 6 of Ceiling Price Regulation 31.

This Redelegation of Authority shall take effect on May 19, 1952.

B. FRANK WHITE,
Acting Director of
Regional Office No. X.

MAY 19, 1952.

[F. R. Doc. 52-5669; Filed, May 19, 1952;
4:50 p. m.]

[Region XI, Redelegation of Authority No. 17,
Revision 1]

DIRECTORS OF ALL DISTRICT OFFICES,
REGION XI

REDELEGATION OF AUTHORITY TO PROCESS
REPORTS OF PROPOSED PRICE-DETERMINING
METHODS UNDER SECTION 5, AS
AMENDED, AND TO ACT UNDER SECTION 17
(b) OF CPR 100, RETAIL SALES OF NEW
AND USED MECHANICAL FARM EQUIPMENT

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pur-

suant to Delegation of Authority 37, Revision 1 (17 F. R. 3563), this Revision 1 to Redelegation of Authority No. 17 is hereby issued.

1. Authority to act under section 5, as amended, of CPR 100. Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI, to approve, pursuant to section 5, as amended, of CPR 100, a price-determining method for sales of new complete farm equipment, or new farm equipment repair parts proposed by a seller under CPR 100, disapprove such a proposed price-determining method, establish a different price-determining method, or request further information concerning such a price-determining method.

2. Authority to act under section 17 (b) of CPR 100. Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI, to issue orders, pursuant to section 17 (b) of CPR 100, fixing ceiling prices for any person subject to this regulation who fails to keep the records, file the reports and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

This Revision 1 to Redelegation of Authority No. 17 shall take effect as of May 8, 1952.

GEORGE F. ROCK,
Regional Director, Region XI.

MAY 19, 1952.

[F. R. Doc. 52-5670; Filed, May 19, 1952;
4:50 p. m.]

[Region XI, Redelegation of Authority No. 36,
Revision 1]

DIRECTORS OF ALL DISTRICT OFFICES,
REGION XI

REDELEGATION OF AUTHORITY TO PROCESS
REPORTS AND APPLICATIONS FOR CEILING
PRICES IN CONFORMITY WITH THE COM-
MODITY CREDIT CORPORATION PRICE SUP-
PORT PROGRAMS UNDER GOR 26

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority 58, Revision 1 (17 F. R. 4192), this Revision 1 to Redelegation of Authority No. 36 is hereby issued.

1. Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI:

(a) To process reports filed pursuant to section 4 of GOR 26 and to approve or disapprove such reports including the ceiling prices stated therein or request further information pertaining thereto, and

(b) To process applications for ceiling prices submitted by applicants whose main places of business are located within his district pursuant to section 3 (b) (3) of GOR 26, and to approve or disapprove the proposed ceiling prices, establish different ceiling prices, or re-

quest further information concerning the applications.

This Revision 1 of Redelegation of Authority No. 36 shall take effect as of May 15, 1952.

GEORGE F. ROCK,
Regional Director, Region XI.

MAY 19, 1952.

[F. R. Doc. 52-5671; Filed, May 19, 1952;
4:50 p. m.]

[Region XI, Redelegation of Authority
No. 41]

DIRECTORS OF DISTRICT OFFICES,
REGION XI

REDELEGATION OF AUTHORITY TO ISSUE
ORDERS ESTABLISHING PRICE FACTORS,
EXCHANGE ALLOWANCES, PRICE DIFFERENTIALS,
PRICE DETERMINING METHODS,
UNDER CPR 139, RESULT AND REUSED
AUTOMOTIVE PARTS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 64 (17 F. R. 3617), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI to issue orders establishing price factors, exchange allowances, and price differentials under section 27, exchange allowances under section 26 (c), price determining methods under section 34, and price factors and price differentials under section 46 of Ceiling Price Regulation 139.

This redelegation of authority shall take effect as of May 8, 1952.

GEORGE F. ROCK,
Regional Director, Region XI.

MAY 19, 1952.

[F. R. Doc. 52-5672; Filed, May 19, 1952;
4:50 p. m.]

[Region XII, Redelegation of Authority
No. 45]

DIRECTORS OF DISTRICT OFFICES,
REGION XII

REDELEGATION OF AUTHORITY TO ISSUE
ORDERS ESTABLISHING PRICE FACTORS,
EXCHANGE ALLOWANCES, PRICE DIFFERENTIALS,
PRICE DETERMINING METHODS,
UNDER CPR 139

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 64 (17 F. R. 3617), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to issue orders establishing price factors, exchange allowances, and price differentials under section 27, exchange allowances under section 26 (c), price determining methods under section 34, and price factors and price differentials under section 46 of Ceiling Price Regulation 139.

This redelegation of authority shall take effect as of May 17, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

MAY 19, 1952.

[F. R. Doc. 52-5673; Filed, May 19, 1952;
4:51 p. m.]

[Region XII, Redelegation of Authority
No. 46]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 3 OF CPR 142

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 65 (17 F. R. 3832), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to issue orders establishing or denying ceiling prices, and to request further information concerning proposed ceiling prices, under the provisions of section 3 of Ceiling Price Regulation 142.

This redelegation of authority shall take effect as of May 17, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

MAY 19, 1952.

[F. R. Doc. 52-5674; Filed, May 19, 1952;
4:51 p. m.]

[Region XIII, Redelegation of Authority No.
9, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED PRICE-DETERMINING METHODS UNDER SECTION 5, AS AMENDED, AND TO ACT UNDER SECTION 17 (b) OF CPR 100

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 37, Revision 1 (17 F. R. 3563), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to approve, pursuant to section 5, as amended, of CPR 100, a price-determining method for sales of new complete farm equipment, or new farm equipment repair parts proposed by a seller under CPR 100, disapprove such a proposed price-determining method, establish a different price-determining method, or request further information concerning such a price-determining method.

2. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to issue orders, pursuant to section 17 (b) of CPR 100, fixing ceiling prices for any person subject to this Regulation who fails to

No. 101—5

keep the records, file the reports and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

This redelegation of authority shall become effective as of May 12, 1952.

JOHN L. SALTER,
Regional Director, Region XIII.

MAY 19, 1952.

[F. R. Doc. 52-5675; Filed, May 19, 1952;
4:51 p. m.]

[Region XIII, Redelegation of Authority
No. 27]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO ISSUE OR- DERS ESTABLISHING PRICE FACTORS, EX- CHANGE ALLOWANCES, PRICE DIFFEREN- TIALS, PRICE DETERMINING METHODS, UNDER CPR 139

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 64 (17 F. R. 3617), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to issue orders establishing price factors, exchange allowances, and price differentials under section 27, exchange allowances under section 26 (c), price determining methods under section 34, and price factors and price differentials under section 46 of Ceiling Price Regulation 139.

This redelegation of authority shall become effective as of May 12, 1952.

JOHN L. SALTER,
Regional Director, Region XIII.

MAY 19, 1952.

[F. R. Doc. 52-5676; Filed, May 19, 1952;
4:51 p. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1630, G-1631, G-1651, G-1718, G-1888, G-1912, G-1934]

EL PASO NATURAL GAS CO., ET AL.

ORDER OMITTING INTERMEDIATE DECISION
PROCEDURE, FIXING DATES FOR THE FILING
OF BRIEFS AND FOR ORAL ARGUMENT

MAY 15, 1952.

In the matters of El Paso Natural Gas Company, Docket Nos. G-1630, G-1631, G-1912; Pacific Gas and Electric Company, Docket No. G-1651; Southern California Gas Company and Southern Counties Gas Company of California, Docket No. G-1718; Nevada Natural Gas Pipe Line Co., Docket No. G-1888; San Diego Gas and Electric Company, Docket No. G-1934.

On May 12, 1952, El Paso Natural Gas Company filed with the Commission a motion in Docket Nos. G-1630, G-1631, G-1912, G-1651, G-1718, and G-1888 requesting (1) that the intermediate de-

cision procedure in such proceedings be omitted; (2) that the filing of briefs be waived; (3) that the proceedings be submitted directly to the Commission upon oral argument; and (4) that the date for oral argument be fixed for either May 19, or May 20, 1952.

Earlier, during the course of the hearing in the consolidated proceedings, oral motions were made upon the record requesting that the intermediate decision procedure be omitted in all of the consolidated proceedings. All parties in the proceedings concurred in such motion.

Upon consideration of the motion filed by El Paso on May 12, 1952, and the motions made upon the record in the consolidated proceedings, the Commission orders:

(A) In accordance with the provisions of § 1.30 (c) of the Commission's rules of practice and procedure the intermediate decision procedure in the above docketed proceedings be and the same is hereby omitted.

(B) El Paso's request that the filing of briefs be waived be and the same is hereby denied.

(C) Briefs be filed by the parties to the proceedings on or before May 23, 1952.

(D) El Paso's request that oral argument be held before the Commission on May 19, or May 20, 1952, be and the same is hereby denied.

(E) Oral argument be held before the Commission with respect to the matters involved and the issues presented in the above docketed proceedings on May 28, 1952, commencing at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(F) Each of the parties to the proceedings desiring to be heard in oral argument before the Commission to advise the Secretary of the Commission in writing on or before May 23, 1952, concerning the length of time desired to present argument.

Date of issuance: May 16, 1952.

By the Commission,

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5626; Filed, May 21, 1952;
8:46 a. m.]

[Docket No. G-1809]

GAS LATERAL CO.

ORDER FIXING DATE OF HEARING

MAY 15, 1952.

On October 10, 1951, Gas Lateral Company (Gas Lateral) an Illinois corporation having its principal place of business at 134 East Main Street, Decatur, Illinois, filed an application, as supplemented on January 7, 1952; amended on February 14, 1952; and further supplemented on May 7, 1952, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities, as fully described in said application, as amended and supplemented,

now on file with the Commission and open for public inspection.

Gas Lateral has requested that its application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure. No request to be heard or protest has been filed subsequent to giving of due notice of the filing of the application and of the amendment thereto, including publication in the FEDERAL REGISTER on October 24, 1951 (16 F. R. 10840) and March 1, 1952 (17 F. R. 1861), respectively.

On May 7, 1952, Gas Lateral notified the Commission by telegram that its sole customer, Illinois Power Company must immediately determine whether to make arrangements to secure a supply of propane for the heating season 1952-53, and that such supply of propane will not be required if the authorization which is sought herein should be granted by the Commission. Therefore, to obviate the possibility of incurring a needless expense, which would be "passed on to the consumers in the form of increased rates," it requests that its application be set for hearing on a date less than 15 days after publication of notice thereof in the FEDERAL REGISTER.

The Commission finds:

(1) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

(2) It is reasonable and good cause exists for fixing the date of hearing in this proceeding less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held on May 21, 1952, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application, as supplemented: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: May 15, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5627; Filed, May 21, 1952;
8:46 a. m.]

[Docket No. G-1875]

TEXAS ILLINOIS NATURAL GAS PIPELINE CO.

ORDER FIXING DATE OF HEARING

On January 14, 1952, Texas Illinois Natural Gas Pipeline Company (Applicant), a Delaware corporation, of 20

North Wacker Drive, Chicago 6, Illinois, filed an application, as supplemented on March 31, 1952, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing certain deliveries and sales of natural gas in interstate commerce for resale in certain cities and communities in the States of Illinois and Missouri and authorizing construction and operation of certain natural-gas transmission pipeline facilities for, in part, effecting said deliveries and sales, subject to the jurisdiction of the Commission, all as more fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that the application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 24, 1952 (17 F. R. 747).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on May 29, 1952 at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application as supplemented: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: May 15, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5628; Filed, May 21, 1952;
8:46 a. m.]

[Docket No. G-1954]

CONNECTICUT GAS CO.

NOTICE OF APPLICATION

MAY 16, 1952.

Take notice that The Connecticut Gas Company (Applicant), a Connecticut corporation having its principal place of business at Berlin, Connecticut, filed on May 7, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of certain natural gas facilities, to-wit: 4-inch natural gas pipeline

extending from a metering and regulating station of the Northeastern Gas Transmission Company (Northeastern) to a gas plant of the Connecticut Light and Power Company (Power Company), a distance of approximately 4,500 feet, at Winsted, Connecticut; and 8-inch natural-gas pipeline extending from a metering and regulating station of Northeastern to a plant of Power Company, a distance of approximately 9,300 feet, at Norwalk, Connecticut; a 12-inch and 10-inch pipeline extending from a metering and regulating station of the Algonquin Gas Transmission Company (Algonquin) to a gas plant of Power Company, a distance of approximately 5,800 feet, at Waterbury, Connecticut; a 4-inch natural-gas pipeline extending from a metering and regulating station of Algonquin to a plant of the Power Company, a distance of approximately 5,000 feet, at Willimantic, Connecticut; a 4-inch pipeline extending from a metering and regulating station of Algonquin to a gas plant of the Power Company, a distance of approximately 120 feet, at Putnam, Connecticut.

Applicant also seeks authority to sell and deliver natural gas to Power Company at each of the aforementioned gas plants of Power Company for resale in the respective communities.

Applicant is a wholly owned subsidiary of Power Company; and it states in its application that the operation of the proposed facilities will be supervised at cost by personnel of the Power Company.

The estimated total over-all capital cost of the proposed facilities, including all expenditures involved in the installation thereof and all incidental costs, is \$176,274. Applicant proposes to disburse funds from its treasury to pay for cost of such facilities.

The application is on file with the Commission for public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 4th day of June 1952.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5629; Filed, May 21, 1952;
8:47 a. m.]

GENERAL SERVICES ADMINISTRATION

FEDERAL CIVIL DEFENSE ADMINISTRATOR

DELEGATION OF AUTHORITY WITH RESPECT TO CONTRACT FOR REMODELING BUILDINGS, AND OTHER NECESSARY WORK AND SERVICES

1. Pursuant to authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended, herein called the act, I hereby delegate authority to the Administrator of Federal Civil Defense, in connection with the making of contracts for the remodeling of existing buildings and other necessary work and services required as authorized by law at a classified location

in the State of Virginia, to negotiate such contracts without advertising in accordance with section 302 (c) (11) of the act.

2. This authority shall be exercised strictly in accordance with the act, particularly section 307 requiring written findings and in certain instances preservation of data and reports to the General Accounting Office.

3. The authority herein delegated may be redelegated to any officer or employee of the Federal Civil Defense Administration subject to the limitations of section 307 of the act.

4. This delegation of authority shall be effective immediately.

Dated: May 19, 1952.

JESS LARSON,
Administrator.

[F. R. Doc. 52-5770; Filed, May 21, 1952;
11:41 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27064]

ALUMINA, CALCINED OR HYDRATED, FROM
BATON ROUGE AND NORTH BATON ROUGE,
LA., TO KENTUCKY, ILLINOIS, AND MASSACHUSETTS

APPLICATION FOR RELIEF

MAY 19, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: J. G. Kerr, Agent, for carriers parties to Agent W. P. Emerson, Jr.'s tariffs I. C. C. Nos. 378 and 413.

Commodities involved: Alumina, calcined or hydrated, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Danville, Ky., Joliet, Ill., Boston, Mass., and other specified points in official territory.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W. P. Emerson, Jr., Agent, I. C. C. No. 413, Supp. 19; W. P. Emerson, Jr., Agent, I. C. C. No. 378, Supp. 189.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed

within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 52-5643; Filed, May 21, 1952;
8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 4-63, 54-169, 68-84]

MARKET STREET RAILWAY CO. ET AL.

NOTICE REGARDING FILING OF AMENDMENT
TO PLAN PROPOSING AN INTERIM LIQUIDATING
DISTRIBUTION; AND NOTICE OF AND
ORDER RECONVENING HEARING

MAY 16, 1952.

In the matter of Market Street Railway Company, File No. 54-169; Market Street Railway Company and Standard Gas and Electric Company, and Certain of its Subsidiary Companies, File No. 4-63; Russell M. Van Kirk, Bloomfield Hulick, Edmund T. Willets, Committee for the Market Street Railway Company, prior preference capital stock; File No. 68-84.

Notice is hereby given that Market Street Railway Company ("Market Street"), formerly a non-utility subsidiary of Standard Gas and Electric Company ("Standard"), a registered holding company, has filed an application for approval of an amendment to its Modified Amended Plan for Liquidation and Dissolution ("the Plan"), filed pursuant to section 11 (e) of the act.

The Plan proposed the liquidation and dissolution of Market Street in two steps. Step I provided, in essence, that Market Street would (a) settle all claims existing between it and affiliated in the same holding company system, (b) pay certain fees and expenses claimed in connection with the Plan, (c) pay the amount of \$15 per share to the holders of its outstanding Prior Preference Stock as a partial liquidating distribution, (d) dispose of pending claims for injury and damages, and workmen's compensation, (e) reduce all of its remaining assets to cash and (f) dissolve. Step II provided for (a) subsequent payment of such other fees, compensation and expenses in connection with the Plan as might be allocated, awarded or approved by the Commission, and (b) the distribution of all the remaining assets of the company to the holders of the Prior Preference Stock.

Step I of the Plan was approved by the Commission and ordered enforced by the United States District Court for the Northern District of California, Southern Division. Jurisdiction was reserved by the Commission over Step II of the Plan. The present amendment discloses that Step I of the Plan has been consummated in all respects, except that certain of the workmen's compensation claims have not been settled and certain assets have not been reduced to cash, nor has the company been dissolved.

The present filing amends Step II to provide that Market Street will pay to

its Prior Preference Stockholders the amount of \$3.50 per share as a second partial liquidating distribution upon surrender of the certificates for such stock. Notice of the right to receive said payment will be given to the stockholders by mail and by newspaper advertisements. Market Street will keep a record of the persons to whom this distribution is made and further distributions, if any, in respect of the certificates surrendered will be made to the same persons or their legal representatives.

The present amendment also proposes that Market Street will pay to Milton Paulson, attorney for certain Prior Preference Stockholders, a fee in the amount of \$1,000 for his services rendered in connection with the proceedings on the Plan. The present amendment states that Market Street does not intend to make any employment severance payments to any persons formerly employed by the company.

Market Street requests the Commission to make application to the District Court to enforce and carry out the terms of the Plan, as amended herein.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan submitted thereunder, to find after notice and opportunity for hearing that the plan as submitted, or as thereafter amended, is necessary to effectuate the provisions of section 11 (b), and is fair and equitable to the persons affected thereby; and

It appearing appropriate to the Commission that notice be given and that the hearing herein be reconvened to afford all interested persons an opportunity to be heard with respect to the proposed amendment to the Plan:

It is ordered, That the hearing herein be reconvened on June 13, 1952, at 2:00 p. m., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date, the Hearing Room Clerk in Room 193 will advise as to the room in which such hearing will be held. Any person having not heretofore appeared in these proceedings and desiring to be heard or otherwise wishing to participate is directed to file with the Secretary of the Commission on or before June 11, 1952, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the reconvened hearing in such matter. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the Plan as amended and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether the Plan, as amended, or as it may be further amended, is neces-

sary to effectuate the provisions of section 11 (b) of the act;

(2) Whether the Plan, as amended, or as it may be further amended, is fair and equitable to the persons affected thereby, and in particular whether, after the cash payment of \$3.50 per share to the Prior Preference Stockholders and \$10,000 to Milton Paulson, Market Street's assets will be sufficient to assure payment of all remaining unpaid claims against Market Street;

(3) Whether and to what extent the Plan, as amended, should be further amended, or terms and conditions imposed, to ensure adequate protection of the public interest and the interest of investors and consumers, and to prevent the circumvention of the act and the rules and regulations promulgated thereunder;

(4) Whether the fees, expenses, or other remuneration to be paid in connection with the proposed transactions, including the proposed payment to Milton Paulson, are for necessary services and are reasonable in amount;

(5) Generally, whether the transactions proposed in the Plan, as amended, comply with the requirements of the applicable provisions of the act and rules promulgated thereunder;

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid reconvened hearing by mailing copies of this notice and order by registered mail to Market Street; that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the persons on the mailing list of this Commission for releases under the act, and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That Market Street shall give notice of the reconvened hearing to all known claimants against Market Street, other than its stockholders (insofar as the identity of such persons is known or available to it), by mailing to each of said persons or his attorney of record, at his last known address and at least 15 days before the date set for the reconvened hearing, a copy of this notice and order.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[P. R. Doc. 52-5631; Filed, May 21, 1952;
8:47 a. m.]

[File Nos. 31-584, 70-2769, 70-2778]

NEW ENGLAND ELECTRIC SYSTEM ET AL.
ORDER PERMITTING WITHDRAWAL OF APPLI-
CATIONS AND DECLARATIONS

MAY 15, 1952.

In the matter of New England Electric System, Beverly Gas and Electric Company, Lawrence Gas and Electric Company, Northern Berkshire Gas Company, Suburban Gas and Electric Company, File No. 70-2769; Lehman Brothers,

Bear, Stearns & Co., Alleghany Corporation, The Pennroad Corporation, C. I. T. Financial Corp., Jemkap, Inc., The Lehman Corporation, Charles Stewart Mott Foundation, Dempsey & Company, Goldman, Sachs & Co., Merkin & Co., Stifel, Nicolaus & Company, Inc., Commonwealth Natural Gas System; File Nos. 31-584, 70-2778.

New England Electric System ("NEES"), a registered holding company, and four of its subsidiary companies, Beverly Gas and Electric Company ("Beverly"), Lawrence Gas and Electric Company ("Lawrence"), Northern Berkshire Gas Company ("Northern Berkshire"), and Suburban Gas Company ("Suburban"), having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935, regarding the sale by them of the system's interests in all its gas properties located in the State of Massachusetts and regarding certain other transactions incidental thereto; and Lehman Brothers; Bear Stearns & Co.; Alleghany Corporation; The Pennroad Corporation; C. I. T. Financial Corp.; Jemkap, Inc.; The Lehman Corporation; Charles Stewart Mott Foundation; Dempsey & Company; Goldman, Sachs & Co.; Merkin & Co.; and Stifel, Nicolaus & Company, Inc., hereinafter referred to as the Purchasing Group, having filed (1) an application pursuant to section 9 (a) (2) of the act to acquire all of the common shares of a common law trust which they were organizing under the laws of Massachusetts to be known as Commonwealth Natural Gas System ("Commonwealth Natural"), (2) an application on behalf of Commonwealth Natural pursuant to section 9 (a) (2) of the act with respect to the acquisition by it of NEES' investments in its Massachusetts gas subsidiaries and of all the common stocks of four corporations to be formed to acquire the gas utility assets of Beverly, Lawrence, Northern Berkshire and Suburban; and (3) an application pursuant to section 3 (a) (4) of the act for an exemption, for a limited period and subject to certain conditions, from all of the provisions of the act applicable to registered holding companies other than section 9 (a) (2); and

The applicants and declarants having requested permission to withdraw their respective applications and declarations, for the reason that on February 28, 1952, the contract of sale and purchase terminated when the Purchasing Group was unable to finance the purchase on certain terms, which financing was a condition to the Purchasing Group's obligations under the contract; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers to permit the withdrawals requested;

It is ordered, That the aforesaid requests be, and they hereby are, granted, and that said applications and declarations be, and they hereby are, deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[P. R. Doc. 52-5633; Filed, May 21, 1952;
8:48 a. m.]

[File Nos. 59-98, 54-198]

INVESTMENT BOND AND SHARE CORP. ET AL.
NOTICE OF FILING OF AMENDMENT TO PLAN
AND NOTICE OF AND ORDER RECONVENING
HEARINGS IN CONSOLIDATED PROCEEDING

MAY 16, 1952.

In the matter of Investment Bond and Share Corporation and its subsidiaries and William J. Walsh, Edwin Joseph Small, John F. Baker, George M. Baker, Catherine E. Baker, Katherine M. Baker, John T. Walsh, William F. Walsh, Janice G. Walsh, Anne W. Small, Edwin W. Small, Barbara S. Johnson, Wallace D. Johnson, and Baker, Walsh & Co., respondents; File No. 59-98; and Investment Bond and Share Corporation and its subsidiaries; File No. 54-198.

On November 5, 1951, the Commission issued its Notice of and Order Instituting Proceedings under, among others, section 11 (b) of the Public Utility Holding Company Act of 1935 ("act") and its notice of filing and order for hearing on a section 11 (e) Plan and an Order for Consolidation (Holding Company Act Release No. 10865). The section 11 (e) Plan thus noticed for hearing proposed the liquidation of Investment Bond and Share Corporation ("Investment Bond and Share"), a registered holding company. Said notice and order raised certain issues under sections 2 (a) (7), 4 (a), 11 (b) (1), 11 (b) (2), 11 (e), 12 (f), 13, 20 (a), 26 (b) and 27 of the act arising out of acts and transactions performed and proposed to be performed, by and among Investment Bond and Share, Baker, Walsh & Co. (a securities brokerage firm) and certain named individuals who were stockholders of Investment Bond and Share and certain other named individuals who were relatives of said persons.

Hearings were held before the Commission pursuant to said notice and order and were recessed on the 13th day of December 1951.

Notice is hereby given that Investment Bond and Share has filed with the Commission an amendment to its section 11 (e) Plan proposing certain modifications designed to effect disposition of the issues raised in this proceeding with respect to Investment Bond and Share and that William J. Walsh, Edwin Joseph Small, John F. Baker, Catherine E. Baker, Katherine M. Baker, John T. Walsh, William F. Walsh, Janice G. Walsh, Anne W. Small, Edwin W. Small, Barbara S. Johnson and Wallace D. Johnson have made herein proposals and commitments designed to effect disposition of the issues raised in this proceeding with respect to such persons.

Jacksonville Gas Corporation ("Jacksonville"), a gas utility subsidiary of Investment Bond and Share, has joined in the filing and before the reconvened hearing herein will make an appropriate filing with respect to the transactions it proposes to effect.

All interested persons are referred to said amendment and proposals and commitments which are on file in the office of the Commission for a detailed statement of the transactions therein proposed which are summarized as follows:

1. Promptly after the effective date of the Plan, all known indebtedness of In-

vestment Bond and Share will be paid in cash.

As soon as practicable after the effective date, as of a date (herein referred to as the "retirement date") to be specified by resolution of the Board of Directors, all outstanding shares of Class A Common Stock of Investment Bond and Share will be retired by payment of cash in an amount equal to the liquidation preference of \$33 per share plus accrued dividends to the retirement date. All holders of record of Class A Common Stock of Investment Bond and Share will be given notice by registered mail, not more than 30 days and not less than 10 days before the retirement date, that beginning on the retirement date the aforesaid amounts of cash will be available for distribution upon surrender for cancellation of their respective certificates representing Class A Common Stock of the Corporation. Upon the mailing of such notice the outstanding certificates for Class A Common Stock will cease to represent any right or interest in Investment Bond and Share of any kind or description except the right to receive cash in an amount equal to the liquidation preference plus accrued dividends as aforesaid.

Certain portfolio securities of Investment Bond and Share will be distributed pro rata to the holders of the outstanding Class B Common Stock as indicated below:

TABLE V

Portfolio security	For each share of Class B stock
Eastern Kansas Utilities, Inc., common stock	Shares 0.76495
Indiana Telephone Corp., common stock	3202125
Telephone Realty Co., common stock	.01018423
Investors Telephone Co., common stock	2.493725

In lieu of distributing fractional shares, Investment Bond and Share will sell one or more shares of the above stocks and will distribute the net proceeds ratably, corresponding to the fractional shares which would otherwise be distributable.

As of a date to be specified by resolution of the Board of Directors, which shall be not more than one year after the effective date unless extended with the approval of the Commission, any and all remaining assets of Investment Bond and Share not required for satisfaction of any known obligations of or claims against Investment Bond and Share will be distributed pro rata to the holders of Class B Common Stock.

2. Investment Bond and Share presently owns 8,106 shares of the common stock of Jacksonville. The 3,646 shares of such stock acquired by Investment Bond and Share prior to its having acquired as much as ten percent of Jacksonville's voting securities will be distributed pro rata to the Class B Common stockholders, such stockholders being certain of the individual respondents herein who, following its distribution, will promptly sell such stock at a price to be fixed by arms'-length bargaining; provided that part or all of said shares may be retained by such stockholders of

Investment Bond and Share if appropriate steps are taken to terminate all control of Jacksonville by any of the individual respondents herein.

With respect to the remaining 4,460 shares of Jacksonville presently owned by Investment Bond and Share, written notice is to be given to all persons who sold such stock to Investment Bond and Share, to the extent known or reasonably ascertainable, to the effect that said shares are to be disposed of except to the extent that any vendor notifies Investment Bond and Share of intention to assert a claim for rescission and brings appropriate proceedings to adjudicate such claim within specified periods. Investment Bond and Share and its stockholders reserve the right to contest any such claim. Any shares not covered by claims so asserted by vendors will be sold to Jacksonville at Investment Bond and Share's cost after appropriate corporate action is taken, including a vote of Jacksonville's stockholders.

The Plan provides that in approving the foregoing transactions relating to Jacksonville the Commission may impose a condition to the effect that, if and except to the extent the condition may subsequently be removed by the Commission, all of Jacksonville's capital surplus and all except \$100,000 of Jacksonville's earned surplus as of December 31, 1951 (after giving effect to the repurchase of not more than 4,460 shares of common stock) shall be restricted against payment of any cash dividends or other cash distributions to holders of common stock of Jacksonville for a period of three years, and thereafter shall be restricted against payment of such dividends or other cash distributions to holders of common stock except after giving the Florida Railroad and Public Utilities Commission at least thirty days' notice of intention to make such payment and after obtaining the affirmative vote of holders of not less than two-thirds of the outstanding common stock.

3. Immediately following distribution by Investment Bond and Share of its holdings of Eastern Kansas Utilities, Inc. ("EKU") stock to the Class B Common stockholders of Investment Bond and Share, the latter will deliver said stock to Harris Trust and Savings Bank, Chicago, Illinois, which will then tender same to Kansas City Power & Light Company ("Kansas City") which company has an outstanding offer to purchase shares of EKU. The Escrow Agent will retain profits on such sale (excess of proceeds received from Kansas City over cost to Investment Bond and Share) pending disposition of any claims which may be asserted by vendors (persons who originally sold particular shares to Investment Bond and Share) within limited periods and will release from escrow all profits as to which claims are not asserted. All vendors will be given written notice that the escrow has been established and that funds may be released therefrom except to the extent that any vendor gives specified notice of intention to assert a claim, and brings appropriate proceedings to adjudicate such claim, within specified periods.

Investment Bond and Share and its stockholders reserve the right to contest any such claims. Similar notice will be given and similar disposition will be made as to profits on EKU stock now owned by the individual respondents herein who are not stockholders of Investment Bond and Share. Such individuals reserve the right to contest any claim asserted.

4. Jacksonville's management will be reconstituted, so as to terminate control by Investment Bond and Share or its stockholders, within 90 days after completion of the sale to Jacksonville of the 4,460 shares of common stock as described above. All fees and salaries received from Jacksonville since July 2, 1951 (the date Investment Bond and Share registered under the act as a holding company) by individuals who are also officers of Investment Bond and Share will be repaid to Jacksonville by said individuals or by Investment Bond and Share.

5. The balance of the Investment Bond and Share Plan (all provisions of the original Plan which are not required to be modified in accordance with the proposals of the amendment) will be carried out as filed.

It appearing appropriate that notice of the filing of the Amended Plan be given and that the hearing be reconvened in this consolidated proceeding:

It is ordered, That the hearing on the proposed Amended Plan and in this consolidated proceeding be reconvened on June 12, 1952 at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., in such room as may be designated on that day by the hearing room clerk. Any person who has not heretofore entered his appearance, desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission on or before June 5, 1952, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Edward C. Johnson, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in the above matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the proposed Amended Plan and that on the basis thereof the following matters and questions are presented for consideration, without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the Amended Plan, as submitted or as it may hereafter be modified, is in all respects necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby, and in particular whether the proposed payment of \$33 per share to the holders of Class A stock of Investment Bond and Share

represents the equitable equivalent of the rights proposed to be surrendered by such stockholders.

2. Whether the proposed sale of the Jacksonville common stock to Jacksonville and the acquisition thereof by Jacksonville meets the applicable standards of the act and rules thereunder.

3. Whether the restrictions relating to the capital and earned surplus accounts of Jacksonville are appropriate and necessary in the public interest or in the interest of investors or consumers.

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modification should be required to be made therein and what terms and conditions, if any, should be imposed to satisfy the applicable statutory standards.

It is further ordered, That at said hearing particular attention shall be directed to the foregoing matters.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to take such other action as may appear conducive to an orderly, prompt and expeditious disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Investment Bond and Share Corporation, Jacksonville Gas Corporation, William J. Walsh, Edwin Joseph Small, John F. Baker, George M. Baker, Catherine E. Baker, Katherine M. Baker, John T. Walsh, William F. Walsh, Janice G. Walsh, Anne W. Small, Edwin W. Small, Barbara S. Johnson, Wallace D. Johnson, Baker, Walsh & Co., and to the Florida Railroad and Public Utilities Commission, and to all parties of record and all persons granted leave to be heard in this consolidated proceeding; that notice shall be given to all other persons by general release of this Commission and shall be distributed to the press and mailed to the mailing list for releases under the act, and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 52-5632; Filed, May 21, 1952;
8:48 a. m.]

[File No. 70-2763]

CHARLES C. HARRISON 3D ET AL.

ORDER GRANTING APPLICATION WITH RESPECT
TO ACQUISITION OF PREFERRED STOCK OF
EXEMPT PUBLIC UTILITY HOLDING COM-
PANY

MAY 16, 1952.

In the matter of Charles C. Harrison
3d, David B. Sharp, Jr., Robert E. Daff-
ron, Jr.; File No. 70-2763.

Charles C. Harrison 3d, David B. Sharp, Jr., and Robert E. Daffron, Jr., have filed an application with this Commission pursuant to section 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 with respect to the following proposed transactions:

Applicants propose to acquire an indirect interest in 50 shares of 5 percent Cumulative Preferred Stock of Chesapeake Utilities Corporation ("Chesapeake"), a holding company which claims exemption pursuant to Rule U-9, through the purchase of said stock by Harrison & Co. from Mary Callery for a cash consideration of \$5,000, being the aggregate par value of such stock and the cost thereof to said Mary Callery. Harrison & Co., an investment banking firm, is a partnership of which applicants are the general partners and which presently holds 100 shares (10 percent) of the outstanding preferred stock of Chesapeake. Applicants now own directly 13,000 shares (50 percent) of the outstanding common stock of Chesapeake.

Due notice having been given of the filing of the application and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary and deeming it appropriate in the public interest and in the interests of investors and consumers that said application be granted:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application be, and hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 52-5634; Filed, May 21, 1952;
8:48 a. m.]

[File No. 70-2863]

SOUTHERN CO. ET AL.

NOTICE OF FILING REGARDING SALE BY REG-
ISTERED HOLDING COMPANY OF COMMON
STOCK THROUGH A RIGHTS OFFERING AND
PURCHASE OF COMMON STOCK OF TWO
SUBSIDIARY COMPANIES

MAY 16, 1952.

In the matter of The Southern Com-
pany, Alabama Power Company, Georgia
Power Company; File No. 70-2863.

Notice is hereby given that a joint application-declaration has been filed with this Commission by The Southern Company ("Southern"), a registered holding company, and two of its public utility subsidiary companies, Alabama Power Company ("Alabama"), and Georgia Power Company ("Georgia"). The filing has designated sections 6, 7, 9 (a), 10, 12 (c) and 12 (f) of the act and rules U-42, U-43, and U-50, promulgated thereunder, as applicable to the proposed transactions, which are summarized as follows:

Southern proposes to issue 1,004,510 shares of its common stock \$5 par value. The shares of common stock are to be offered during a period of approximately three weeks to the holders of the presently outstanding common stock of the company for subscription in the ratio of 1 share of common stock for each 16 shares of common stock now held. The rights to subscribe are to be evidenced by transferable subscription warrants. No fractional shares are to be issued. The warrants provide that persons subscribing for stock may direct the subscription agent to purchase additional rights required to complete a full share subscription or to sell rights in excess of full share subscriptions. In each case, the purchase or sale may not exceed 15 rights for any single stockholder.

The above described offering is to be underwritten and the company proposes to select the purchasers of any unsubscribed stock and any stock acquired by the company through stabilizing operations, as described below, at competitive bidding pursuant to Rule U-50. At least 42 hours prior to the time for the submission and opening of bids, Southern will advise the prospective bidders of the subscription price per share, which will also be the price per share at which unsubscribed shares and any shares acquired by the company through stabilization operations will be sold to the successful bidder. The bidders will be required to specify an aggregate amount of compensation to be paid by the company for their commitments. Under the terms of the bidding the purchasers must agree that, in the event any shares purchased by them from the company shall be sold by them prior to 30 days following the expiration of the subscription period for a price in excess of the subscription price plus 65 cents per share, the purchasers shall pay to the company 50 percent of such excess.

Southern proposes, if considered necessary or desirable, to stabilize the price of the common stock of the company for the purpose of facilitating the offering and distribution of the additional shares of common stock. In connection therewith the company may, during the period commencing with the first business day prior to the date when the price per share is to be determined and continuing until the acceptance of a bid, purchase shares of its common stock, but not in excess of 100,451 shares, on the New York Stock Exchange or otherwise. Such purchases are to be made through brokers with the payment of regular Stock Exchange commissions.

Southern, which owns all of the common stock of Alabama and Georgia, proposes to use the net proceeds derived from the sale of the common stock, plus other funds to the extent necessary, to invest in common stock of Alabama and Georgia and to repay outstanding bank loans. Under the present filing, Alabama proposes to issue and sell 40,000 shares of its common stock to Southern, and Georgia proposes to issue and sell 400,600 shares of its common stock to Southern. Southern will purchase these shares for \$4,000,000 and \$7,000,000, respectively, and the proceeds will be used

by Alabama and Georgia for construction purposes.

Southern states that if for any reason delay should be encountered in its proposed common stock rights offering so that it will not have available prior to July 15, 1952, funds sufficient to invest in the common stock of Georgia, it proposes to borrow for such purpose up to \$7,000,000 from banks on short term notes. In such event, Southern will file an amendment herein setting forth the names of such banks and the terms of such notes.

The filing indicates that the issuance and sale of common stock by Alabama and Georgia are subject, respectively, to the jurisdiction of the Alabama Public Service Commission and the Georgia Public Service Commission.

It is requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than June 2, 1952, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 52-5630; Filed, May 21, 1952;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18876]

AUGUSTA BUTLER

In re: Estate of Augusta Butler, deceased. File No. 017-26810.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.); and Executive Order 9889 (3 CFR 1948 Supp.), and pursuant

to law, after investigation, it is hereby found:

1. That Clementine Holst, Elizabeth Kropp, and Wilhelm Holst, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the Estate of Augusta Butler, deceased, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Ebba M. Winslow, Esquire and Charles Albright, Esquire, co-executors, acting under the judicial supervision of the Surrogate of Warren County, New Jersey;

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 16, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-5644; Filed, May 21, 1952;
8:50 a. m.]

[Vesting Order 18877]

PAULINE NIECKE

In re: Certificate owned by the personal representatives, heirs, next of kin, legatees and distributees of Pauline Niecke, deceased. F-28-8177.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9889 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Pauline Niecke, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows: All rights and interests in and under a Certificate for shares of Port Richmond Co-operative Savings and Loan Association, said certificate numbered 178, dated June 30, 1938, and registered in the name of Mrs. Pauline Niecke,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Pauline Niecke, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 16, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-5645; Filed, May 21, 1952;
8:50 a. m.]

